

**LA04-176**

**PRELIMINARY INFORMATION DOCUMENT  
AND SUMMARY**

**DOI: 09/10/2004**

**180<sup>th</sup> Day: 03/08/2005**

**MC**

**EL PASO POLICE DEPARTMENT  
PRELIMINARY INFORMATION DOCUMENT**

Received by Internal Affairs

on 9/29/04 \_\_\_\_\_ a.m. p.m.

Admin. Case Number

IA04-176

Location of Incident 8900 Escobar	Date/Time of Incident 9/10/04 8:30 pm	Allegation Code 1, b
Complainant Perla Peralta	Address 600 N. Carolina	Phone 591-7289
Noted on Supervisor's Log By/Date Sgt. Raul Prieto 9/15/04	PID Initiation Approved By/Date A/ Comdr. Richard Pantoja 9/24/04	
EMPLOYEE(S) INVOLVED:	ID#	DIVISION
1. Martina Goroeoff	1817	MVRCC
2.		
3.		
EMPLOYEE WITNESS(ES):		
1.		
2.		
BRIEF EXPLANATION OF EVENTS:		
Accident Case # 04-254358		
<p>This PID is being initiated to document an incident in which Officer Goroeoff impounded the vehicle of the complainant, had the complainant remove her own vehicle registration off of her car window, and failed to make a report on her suspicion of fraudulent vehicle registration. Officer Goroeoff has also demonstrated a pattern of rudeness and unprofessional conduct.</p>		
SIGNATURES		
Supervisor Initiating Report <i>[Signature]</i>	Rank/Position Lieutenant	Date/Time 09/24/04 15:04
Shift/Section Commander <i>[Signature]</i> 477	Recommendation <i>forward to PRU</i>	
Division Commander <i>[Signature]</i>	Recommendation To P.D.U. for investigation 9-24-04	
Bureau Commander <i>[Signature]</i>	Recommendation P.R.U. follow up 9/28/04	
FINAL DISPOSITION:		
1. <i>[Signature]</i> Sustained 02-02-05		
2. <i>[Signature]</i> Sustained unprofessional conduct		
3. <i>[Signature]</i> Not Sustained, 2-23-05		
Signature of Employee <i>[Signature]</i>	Date/Time 03/04/05 13:40 hrs	

*Sustained 3 days for violation of charts.*

*July 2004 2-23-05*

**CASE SUMMARY REPORT**

Case No. : IA04-176

**El Paso Police Department  
Internal Affairs Division****Allegation: ADMINISTRATIVE  
Complainant: Perla Peralta  
Address:****I. INFORMATION:****Date of Incident: 09/10/2004  
Date Reported: 09/15/2004  
Date Received in IAD: 09/29/2004**

09/10/2004, the Complainant's husband was involved in a car accident at 8900 Escobar, case no. 04-254358. The Complainant was arrested for outstanding traffic warrants, case no. 04-254362; the Complainant's husband was an illegal alien and thus taken to the U. S. Border Patrol. The Complainant advised the Accused Officer that the Registration Decal and the Inspections Decal to her vehicle were legal but the Accused Officer made her take off the decals from the vehicle.

**The Administrative Investigation Findings:**

*Reference the administrative issue that the Accused Officer made the Complainant remove the MVI and MVR decals from the vehicle:*

- The Complainant alleges that the Accused Officer made her remove the stickers from her vehicle despite the fact that she informed the Accused Officer that they were indeed legal.
- The Accused Officer advised that she gave the Complainant a choice of removing the stickers and the Complainant's husband obtaining citations or if the Accused Officer removed the stickers, the Complainant would be arrested for displaying stickers that were illegally obtained. The Complainant chose to remove the stickers.
- The Civilian Witness Juan Chavez, tow-truck driver for El Paso Towing, does advise that the Accused Officer did tell him that she made the driver of the vehicle remove the fraudulent stickers.
- The Mobile Video Recording System does record the conversation between the Civilian Witness Juan Chavez and the Accused Officer in which she informs him that she made the Complainant remove the vehicle stickers.



- The El Paso County Tax office (Mr. Jorge Perez) advised that insurance is needed for registration. To obtain insurance a person needs a Texas Drivers' License or a Texas Identification card, that is the discretion of each insurance company to accept either a Texas DL or a Texas ID.
- Texas Department of Transportation title application receipt shows that the registration sticker was purchased on the date of 5/04/04.

## II. ISSUES:

1. Did the Accused Officer violate Departmental Policies and Procedures by making the Complainant remove the Motor Vehicle Registration sticker and Motor Vehicle Inspection sticker from the Complainant's vehicle?

## III. DEPARTMENTAL POLICIES AND PROCEDURES:

- 0-101. PURPOSE.
- 0-201. POLICY.
- 0-301. POLICE POWERS.
- 0-302. LIMITATIONS ON AUTHORITY.
- 0-302.01 SCOPE.
- 0-303. COURSE OF ACTION.
- 0-304. ETHICAL STANDARDS.
- 0-401. WE RESPECT LIFE.
- 0-402. WE REVERE THE TRUTH.
- 0-403. WE ENFORCE THE LAW.
- 0-404. WE SEEK COMMUNITY PARTNERSHIPS.
- 0-405. WE HONOR OUR POLICE POWERS.
- 0-406. WE CONDUCT OURSELVES WITH DIGNITY.
- 3-205.11 PRISONER PROPERTY.

## IV. SUMMARIES:

### Complainant:

The Complainant reported the following: she and her husband were involved in a motor vehicle accident on September 10, 2004. The Accused Officer Goroeoff spoke to the other driver, a young lady, and then asked her husband for his license and insurance, which he did not have. The Accused Officer then arrested her husband for being illegal and asked her (the Complainant) if she was the owner of the vehicle, she replied that she was. The Accused Officer obtained her identification, checked her for warrants and then told her that she (the Complainant) was going to have to go with her (the Accused Officer). The Accused Officer asked her how her stickers were up to date if she did not



have insurance or a license. She replied that she did have insurance but stopped paying and she never had a license. The Accused Officer told her that she was going to have to scrape off the stickers because the vehicle was illegally registered. The Accused Officer added that if she (the Complainant) did not scrape them off, the Accused Officer would make sure that she (the Complainant) could not take the vehicle out of the impound lot. She asked why the vehicle was going to be impounded and if her sister Maria could not pick up the vehicle. Prior to this, the Accused Officer had allowed her to use her (the Accused Officer's) cell phone to call Maria (the Complainant's sister) to pick up (the Complainant's) her daughter. She asked if her sister could take the vehicle and the Accused Officer replied no because the vehicle was not properly registered.

**Officer Martina Goroeoff (no. 1817), Accused:**

The Accused Officer reported the following: she responded to a minor accident at the 8900 block of Escobar. Mr. Tovar, the husband of the Complainant, drove unit no. 2 and the passenger was the Complainant. After she identified the drivers of the vehicle, she asked each for their license and the insurance for the vehicles. Mr. Tovar had neither. Mr. Tovar did not have any identification, so he was asked to sit in the back of the patrol car. Mr. Tovar advised that he was in the United States illegally; she verified Mr. Tovar's name and date of birth with the Complainant. The Complainant informed her that she was the owner of the van, the Complainant was then asked for her driver's license. A registration check did reveal that the van did belong to the Complainant and no record of the Complainant having (or having had) a driver's license. Everyone was checked for warrants, the Complainant had several outstanding traffic warrants. She observed that Ms. Peralta's van displayed a new MVI (Motor Vehicle Registration) and Motor Vehicle Inspection) stickers. She is aware that one cannot legally obtain insurance without a driver's license and one cannot get either sticker without insurance, she asked the Complainant where the stickers were obtained. She asked the Complainant how she had bought the stickers without insurance. The Complainant replied that had purchased insurance just for that month to obtain the stickers. She explained to the Complainant that in Texas insurance cannot be obtained without a driver's license and asked what insurance company had she purchased insurance from. The Complainant advised that she had purchased the insurance from the Tax office. She named several insurance companies and advised that the Tax office does not sell insurance but the Complainant insisted that the insurance was bought at the Tax office. She explained to the Complainant that that the stickers cannot be valid because they were obtained by illegal means. First of all, insurance cannot be obtained without a driver's license and second, the Tax office does not sell insurance. She gave the Complainant the choice of either the Complainant removes all the stickers and her husband gets tickets for not having the stickers, or, if she (the Accused Officer) takes off the stickers off, the Complainant will be arrested for displaying stickers that were illegally obtained. The Complainant chose to take off the stickers herself. She then arrested the Complainant for outstanding traffic warrants and allowed that Complainant to use her (the Accused Officer's) cell phone to call someone to pick up the Complainant's daughter. She waited to handcuff the Complainant until the Complainant's daughter left. El Paso Towing picked up the van. She did not allow the Complainant's sister to take the vehicle because the vehicle did not have insurance. She

then transported the Complainant (handcuffed) and Mr. Tovar (unhand cuffed) to MVRCC. After the Complainant was secured, she transported Mr. Tovar to the Ysleta Point of Entry Border Patrol Stations. Once positive identification was obtained for Mr. Tovar, she issued him a citation for No Insurance, No Driver's License, No or Expired Motor Vehicle Registration and No or Expired Motor Vehicle Inspection. The Complainant was booked into the County Jail. The next day, she ran into Sgt. Haddad who was working housing and she gave him the Complainant's name.

#### V. SWORN STATEMENTS:

##### Juan Jose Chavez, Civilian Witnesses:

The Civilian Witness reported the following: he was working for El Paso Towing on the date of the incident. He recalls the incident and speaking to the Accused Officer. He picked up a gray mini-van; he thinks it was a Plymouth Voyager. The Accused Officer told him that the vehicle had fake tags and that she had made the driver scrape off the fake tags, the two decals on the windows.

#### VI. MISCELLANEOUS:

- Videotape from the Accused Officer's vehicle during the incident,
- Interoffice memorandum from Lt. Gabriel Serna, dated 09/20/2004,
- Copy of Motor Vehicle Registrations Title receipt, dated 05/04/2004,
- Copy of five-day letter sent to Mr. Robert Tovar, dated 12/07/2004,
- Copy of five-day letter sent to Mr. Juan Chavez, dated 12/13/2004,

Det. Mario Chaides (no. 1739)  
Professional Responsibility Unit  
Internal Affairs Investigator

Sergant Marco Spalloni 1/7/05  
Sergeant Marco Spalloni (no. 1772)  
Internal Affairs Supervisor

Lieutenant David Norman 1/7/05  
Lieutenant David Norman (no. 626)  
Internal Affairs Commander



JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

RICHARD D. WILES  
CHIEF OF POLICE



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESTO ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## POLICE DEPARTMENT

TO: Robert Adkinson, PAYROLL  
FROM: A/Lt. Rosalia Cubillos #1028  
RE: Martina (Goroeoff) Elizalde #1817  
Kronos #006688, S [REDACTED]  
Case #IA04-176  
DATE: April 19, 2006

Mr. Adkinson,

The Internal Affairs Division has received confirmation that Chief R. Wiles has rescinded the Twenty-Four (24) hour suspension that Martina (Goroeoff) Elizalde received reference administrative case #IA04-176.

As such, by order of Chief Wiles, Martina (Goroeoff) Elizalde #1817 is to be **REIMBURSED** for 12 (twelve) hours suspension she served from March 11-13, 2005.

Please provide me with the documentation of the reimbursement as soon as practical.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Rosalia Cubillos".

A/Lt. Rosalia Cubillos  
544-7633



911 N. RAYNOR • EL PASO, TX 79903 • (915) 564-7000 • WWW.EPPD.ORG



In the Matter of:  
El Paso Municipal Police Officers'  
Association, By and on Behalf of  
Police Officer Martina Goroeoff-Elizalde, #1817,

And

The El Paso Police Department  
Of the City of El Paso, Texas.

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Case No.: IA 04-176

### **SETTLEMENT AGREEMENT**

This Settlement Agreement is made this the 3<sup>rd</sup> day of April, 2006, by and between the El Paso Police Department of the City of El Paso, Texas (the "Department"), the El Paso Municipal Police Officers' Association (the "Association"), and Police Officer Martina Goroeoff-Elizalde, #1817.

#### **I. RECITALS**

A. The Department issued a Notice of Suspension to Officer Martina Goroeoff-Elizalde, #1817, arising out of the officer's dereliction of duty. As a result, said officer was suspended for **Twenty-four (24) Hours** on or about March 4, 2005, and filed her appeal of such.

B. The parties desire to enter into this Settlement Agreement in order to provide a full and final settlement to the above referenced disciplinary action.

#### **II. AGREEMENT**

As consideration for the mutual promises contained herein, the parties agree as follows:

1. In exchange for the promises of Officer Martina Goroeoff-Elizalde, #1817, contained herein, the Department agrees to modify the disciplinary action, as set forth in the above referenced Notice of Suspension of 24 hours, to a suspension of **Twelve (12) hours** and mark on Officer Martina Goroeoff-Elizalde's Internal Affairs card the notation "Suspended - 12 hours for violation of policies and procedure." Officer Martina Goroeoff-Elizalde, #1817, will receive back-pay compensation for 12 hours.

2. In exchange for the promises of the Department contained herein and as a material inducement to the Department to enter into this Settlement Agreement, without which Department would not be willing to enter into this Settlement Agreement, Officer Martina Goroeoff-Elizalde, #1817, and the Association, on behalf of said officer, acknowledge and agree as follows:

(a) Officer Martina Goroeoff-Elizalde, #1817, acknowledges and agrees that she freely and voluntarily accepts the reduction in suspension from 24 hours to 12 hours, effective the date this agreement is executed by all parties.

(b) Officer Martina Goroeoff-Elizalde, #1817, acknowledges and warrants that he will not revoke said reduction in the time of suspension, stated above, and expressly waives any and all rights that she may have under the Civil Service Amendment to the Charter of the City of El Paso, or any ordinance of the City of El Paso to have said suspension set aside or reversed.

(c) Neither Officer Martina Goroeoff-Elizalde, #1817, nor the Association, on behalf of said officer, will appeal the above-mentioned disciplinary action or this Settlement Agreement and if any appeal shall have been previously filed, to withdraw same immediately with prejudice.

(d) Neither Officer Martina Goroeoff-Elizalde, #1817, nor the Association, on behalf of said officer, will litigate in any forum, judicial or administrative, including but not limited to FLRA, EEO, independent arbitrator and/or Civil Service Commission, any claims arising from or relating to the matters contained in this Settlement Agreement, except for an action to enforce the terms of this Settlement Agreement.

3. The parties acknowledge and agree that this Settlement Agreement is not an admission of liability on the part of the Department or City of El Paso. The parties further acknowledge and agree that this Settlement Agreement shall not act as precedent for any current or future personnel action, administrative procedure, grievances, or litigation of any kind. The parties further agree that this Settlement Agreement cannot and will not be used in the future as a standard, model, guide, pattern, past practice, or example and does not set precedent whatsoever.

4. The parties understand and agree that this Settlement Agreement in no way changes, alters, amends, revises and/or modifies the current Articles of Agreement between the City of El Paso, Texas and the El Paso Municipal Police Officers' Association.

5. All parties agree to cooperate fully and execute any and all supplementary documents and take additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Settlement Agreement, which are not inconsistent with its terms.

6. In entering into this Settlement Agreement, the Department, the Association and Officer Martina Goroeoff-Elizalde, #1817, represent that each has relied upon the advice of their attorneys, who are the attorneys of their own choice, concerning the legal consequences of this Settlement Agreement; that the terms of this Settlement Agreement have been completely read and explained to each by their attorneys and that the terms of this Settlement Agreement are fully understood and voluntarily accepted by each party, as represented by their signature below. The Department, the Association and Officer Martina Goroeoff-Elizalde, #1817, further acknowledge and represent that each have not been influenced to any extent whatsoever in signing this Settlement Agreement and that execution of said agreement is done freely and voluntarily.

7. The parties agree to pay their own costs and attorneys fees. The City of El Paso shall be a third part beneficiary of this agreement.

8. This Settlement Agreement shall be construed and interpreted in accordance with the laws of the State of Texas. Should any term or provision of this Settlement Agreement be



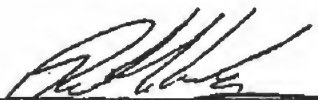
declared invalid by a court of competent jurisdiction, the parties intend that all other terms and provisions of this Settlement Agreement should be valid and binding and have full force and effect as if the invalid portion had not been included.

9. The parties acknowledge and warrant that this Settlement Agreement contains the entire agreement between the Department, the Association and Officer Martina Goroeoff-Elizalde, #1817, with regard to the matters set forth in it and shall be binding upon all parties.

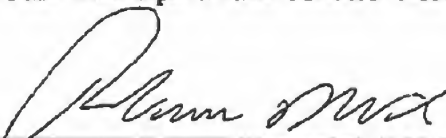
10. This Settlement Agreement shall become effective immediately following execution by each of the parties.

  
\_\_\_\_\_  
Police Officer Martina Goroeoff-Elizalde, #1817

04/03/06  
Date

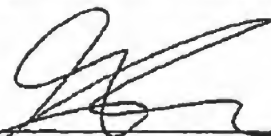
  
\_\_\_\_\_  
Robert Holguin, President  
El Paso Municipal Police Officers' Association

04-03-06  
Date

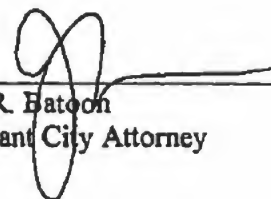
  
\_\_\_\_\_  
Richard D. Wiles, Chief  
El Paso Police Department

4-12-06  
Date

**AGREED AS TO FORM ONLY:**

  
\_\_\_\_\_  
Gerald Cichon, Attorney for  
Officer Martina Goroeoff-Elizalde, #1817

3-29-05  
Date

  
\_\_\_\_\_  
John R. Batson  
Assistant City Attorney

4-7-06  
Date



**VERIFICATION**

STATE OF TEXAS

§

§

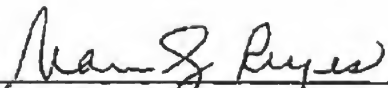
COUNTY OF EL PASO

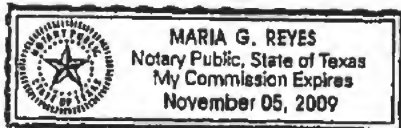
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BEFORE ME, the undersigned authority, personally appeared MARTINA GOROEOFF-ELIZALDE who stated, upon oath, that the statements made in the foregoing instrument are within her personal knowledge and are true and correct.

  
MARTINA GOROEOFF-ELIZALDE

SUBSCRIBED AND SWORN TO BEFORE ME on this 3<sup>RD</sup> of April, 2006.

  
Notary for and in The State of Texas  
My commission expires: 11/05/2009



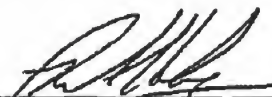
**VERIFICATION**

STATE OF TEXAS

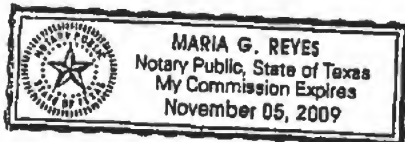
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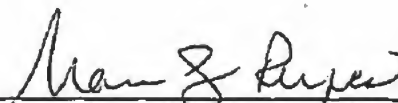
COUNTY OF EL PASO

BEFORE ME, the undersigned authority, personally appeared ROBERT HOLGUIN who stated, upon oath, that the statements made in the foregoing instrument are within his personal knowledge and are true and correct.

  
\_\_\_\_\_  
ROBERT HOLGUIN  
President, El Paso Municipal Police  
Officers' Association

SUBSCRIBED AND SWORN TO BEFORE ME on this 3<sup>rd</sup> of April, 2006.



  
\_\_\_\_\_  
Notary for and in The State of Texas  
My commission expires: 11/05/2009

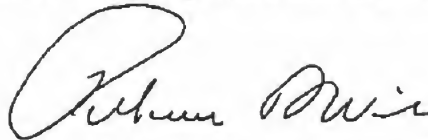
**VERIFICATION**

STATE OF TEXAS

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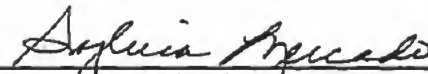
COUNTY OF EL PASO

BEFORE ME, the undersigned authority, personally appeared RICHARD D. WILES who stated, upon oath, that the statements made in the foregoing instrument are within his personal knowledge and are true and correct.



RICHARD D. WILES  
Chief, El Paso Police Department

SUBSCRIBED AND SWORN TO BEFORE ME on this 12<sup>th</sup> of April, 2006.



Notary for and in The State of Texas  
My commission expires: \_\_\_\_\_





**COMMISSIONERS:**

Berube, Paul  
Ellis, William J.  
Graham, Elijah  
Harris, Alvin L. Sr.  
Martinez, Ramy  
Peña, Andrew M.  
Ruck, Lance E.  
Schwartz, Elma



**CIVIL SERVICE COMMISSION**

El Paso, TX 79901-1196  
Telephone 541-4216  
Fax 541-4220

TO: Jennifer Callan  
Assistant City Attorney

FROM: Terry Bond *LBST*  
Civil Service Commission Secretary

SUBJECT: Appeal of Suspension - Requesting Arbitration

DATE: March 24, 2005

I have enclosed a copy of the appeal letter for the following case where the appellant has elected to have his appeal heard by arbitration:

**Goroeoff, Martina - Police - Suspension - (IA04-176)**

This appeal was filed on **March 14, 2005** by Gerald Clchon, Attorney representing the El Paso Municipal Police Officers Association, on behalf of Police Officer **Martina Goroeoff**. The Notice of Suspension was dated **February 24, 2005** and received by Officer Goroeoff on **March 4, 2005**. This appeal was timely filed.

Please send me a copy of the decision reached in this appeal for the employee's personnel file.

**Attachment**

cc: Employee's Representative - Gerald Clchon  
Dept. Head - Richard Wiles, Chief of Police  
Commander - Professional Responsibility Unit - Police Dept.  
Employee Human Resources File

**RECEIVED**

**MAR 25 2005**

**OFFICE OF  
THE CHIEF OF POLICE**

COMMISSIONERS:

Berube, Paul  
Ellis, William J.  
Graham, Elijah  
Harris, Alvin L. Sr.  
Martinez, Ramy  
Peña, Andrew M.  
Ruck, Lance E.  
Schwartz, Elma



CIVIL SERVICE COMMISSION

El Paso, TX 79901-1196  
Telephone 541-4216  
Fax 541-4220

TO: Jennifer Callan  
Assistant City Attorney

FROM: Terry Bond *LBST*  
Civil Service Commission Secretary

SUBJECT: Appeal of Suspension - Requesting Arbitration

DATE: March 24, 2005

I have enclosed a copy of the appeal letter for the following case where the appellant has elected to have his appeal heard by arbitration:

**Goroeoff, Martina - Police - Suspension - (IA04-176)**

This appeal was filed on March 14, 2005 by Gerald Cichon, Attorney representing the El Paso Municipal Police Officers Association, on behalf of Police Officer Martina Goroeoff. The Notice of Suspension was dated February 24, 2005 and received by Officer Goroeoff on March 4, 2005. This appeal was timely filed.

Please send me a copy of the decision reached in this appeal for the employee's personnel file.

Attachment

cc: Employee's Representative - Gerald Cichon  
Dept. Head - Richard Wiles, Chief of Police  
Commander - Professional Responsibility Unit - Police Dept.  
Employee Human Resources File



1 AD - five  
**COMBINED LAW ENFORCEMENT  
ASSOCIATIONS OF TEXAS**

**A GREATER FORCE OF LAW ENFORCEMENT PROFESSIONALS**

March 14, 2005

PLEASE RESPOND TO  
THE OFFICE CHECKED

- ☐ **Administration Office**  
400 W. 14th St., Suite 200  
Austin, TX 78701  
512/495-9111  
512/495-9301 FAX  
800/252-8153 WATS
- ☐ **North Texas Office**  
904 Collier  
Fort Worth, TX 76102  
817/882-9548  
817/882-9586 FAX  
800/825-3281 WATS
- ☐ **South Texas Office**  
1939 N.E. Loop 410, Suite 210  
San Antonio, TX 78217  
210/826-1899  
210/826-2299 FAX  
800/752-5328 WATS
- ☐ **East Texas Office**  
14405 Walkers Rd., Suite 300  
Houston, TX 77014  
281/880-5252  
281/880-9998 FAX  
800/422-5328 WATS
- ☒ **West Texas Office**  
747 E. San Antonio, Suite 103  
El Paso, TX 79901  
915/533-4924  
915/533-5117 FAX
- ☐ **Coastal Bend Office**  
3122 Leopard St.  
Corpus Christi, TX 78408  
361/883-3224  
361/883-5759 FAX
- ☐ **Northeast Texas Office**  
2427 Baker Dr., Suite D  
Mesquite, TX 75150  
972/686-5220  
972/686-3350 FAX
- ☐ **Golden Triangle Office**  
118 11th Street  
Nederland, TX 77627  
409/721-6599
- ☐ **Arlington Office**  
1801 West Park Row  
Arlington, TX 76013  
817/792-3534

**Via Facsimile 541-4220 and  
Via Certified Mail, Return Receipt Requested**

**Ms. Terry Bond  
Civil Service Commission Secretary  
#2 Civic Center Plaza, 3rd Floor  
El Paso, Texas 79901**

**RE: Appeal of Notice of Suspension - 24-Hours  
Administrative Case #IA04-176  
Police Officer Martina Goroeoff**

**Dear Ms. Bond,**

Please take note that Police Officer Martina Goroeoff and the El Paso Municipal Police Officers Association (EPMPOA) through the undersigned CLEAT attorney, hereby gives notice of appeal from adverse action taken against Officer Goroeoff by the City of El Paso, which adverse action is evidenced by Notice of Suspension dated February 24, 2005, and signed by Officer Goroeoff on March 4, 2005. Officer Martina Goroeoff denies each and every specification of fact set forth against her and contends that the adverse action taken against her is excessive and in violation of Section 6.13 of the Charter of the City of El Paso.

Pursuant to the provisions of Article XXI, Section 1 of the Articles of Agreement between the City of El Paso and the El Paso Municipal Police Officers Association, the election is made to have the appeal heard before an independent arbitrator.

Thank you for your courtesies in this matter. If you have any questions, please do not hesitate to contact my office.

Very truly yours,

  
Gerald Cichon  
Staff Attorney

/mgr

cc: Chief Richard Wiles, El Paso Police Department  
Jennifer Callan, Assistant City Attorney  
Randy Rodriguez, EPMPOA Disciplinary Committee Chair  
Martina Goroeoff, Appellant



## NOTICE OF SUSPENSION

PAGE 1 of 8

February 24, 2005

DATE

Police Officer

POSITION

TO: Martina Goroeoff

NAME OF EMPLOYEE

SOCIAL SECURITY NUMBER

ADDRESS: EL PASO POLICE DEPARTMENT, REGION II, MISSION VALLEY  
REGIONAL COMMAND CENTER

SUBJECT: NOTICE OF SUSPENSION OF EMPLOYMENT

THIS IS TO NOTIFY YOU THAT YOU HAVE BEEN SUSPENDED FROM EMPLOYMENT  
WITH THE CITY OF EL PASO, REF: ADMINISTRATIVE CASE # IA04-176 FOR THE  
PERIOD OF TWENTY FOUR (24) HOURS.

THE FOLLOWING ARE THE REASONS NECESSITATING THIS ACTION:

CHARGES:THE CITY OF EL PASO, TEXAS CIVIL SERVICE COMMISSION CHARTER  
PROVISIONS AND RULES AND REGULATIONS, AND DEPARTMENTAL RULES  
AND REGULATIONS PROVIDE:ARTICLE VI, CIVIL SERVICE COMMISSIONSECTION 6.13-2. DISCHARGE OF PERMANENT EMPLOYEES.The appointing authority or the head of the department in which an employee is serving may, for  
any cause defined below or further defined in the Rules, discharge, suspend or reduce in rank or  
position any permanent employee.SECTION 6.13-3. CAUSES OF SUSPENSION, REDUCTION OR DISCHARGE.The following, as further defined in the Rules, may constitute causes for discharge, suspension or  
reduction in grade of permanent employees:

- J. Inducing another to commit an unlawful act.  
N. For just cause.

I HAVE RECEIVED A COPY OF THIS NOTICE

[Signature]  
EMPLOYEE'S SIGNATUREDATE 03/04/05

BY REGISTERED MAIL NO: \_\_\_\_\_

IA04-176

[Signature]  
DEPARTMENT HEAD3-2-05  
DATECOPY RECEIVED AND FILED  
CIVIL SERVICE COMMISSIONBY: [Signature]  
SECRETARY

## NOTICE OF SUSPENSION

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February 24, 2005

DATE

Police Officer

POSITION

TO: Martina Goroeoff

NAME OF EMPLOYEE

SOCIAL SECURITY NUMBER

CIVIL SERVICE RULESRULE 19 - DEPARTMENTAL RULES

Section 1. Any department head shall have the right to promulgate rules and regulations regarding the operation of his or her department, and the conduct of the employee therein, provided that such rules do not conflict with the Civil Service Charter or the Rules promulgated thereunder.

Section 4. Any department head may, as provided in the Charter, suspend, discharge or demote any employee for insubordination, for failure to comply with the rules and regulations, for failure to comply with the Rules of the Commission, or for failure to obey any lawful order of a superior officer.

EL PASO POLICE DEPARTMENT PROCEDURES MANUALVOLUME 0 - VALUE BASED CODE OF ETHICSCHAPTER 1 - PURPOSE

0-101. PURPOSE. The purpose of this document is to give practical meaning to our stated Department Mission and Values by setting forth for all officers and employees of the El Paso Police Department articulated policies, procedures and codes of conduct which encompass and describe expectations of behavior and conduct, both on duty and off duty.

CHAPTER 2 - POLICY

0-201. POLICY. All members of the Department will become familiar with these standards and will abide by them. Violations constitute grounds for disciplinary action.

CHAPTER 3 - DISCUSSION

0-302. LIMITATIONS ON AUTHORITY. Codes of conduct are as essential to a well functioning, correctly disciplined organization as proper laws are to society. Police officers and public employees are granted a public trust which requires that they consistently demonstrate the highest degree of integrity. The purpose of policies, orders, and procedures is to maintain a high level of personal and official conduct in order to command the respect and confidence of the public.

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0-302.01 SCOPE. Nothing in the Department's policies, orders, or procedures is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or the consequences of a violation thereof. When this code specifies certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned. From time to time, the Department may implement orders that may change, alter or supersede a policy or procedure set forth herein. Once notice of an order is given, employees will be responsible for learning any new procedures and abiding by them.

0-303. COURSE OF ACTION. Members of the Department confronted with situations that are not specifically covered by this code, these procedures, or other Department policies must use their best judgment and make decisions as to the appropriate course of action or conduct based upon training, experience and, perhaps most importantly, the mission and values of our Department.

0-304. ETHICAL STANDARDS. The El Paso Police Department has created and adopted a Mission Statement and published Core Values. These values are not just empty words, but an important code of ethics and standards upon which we base our performance, conduct, policies and procedures. Professionalism dictates, in addition to prescribing a desired level of performance, the establishment of minimum standards of ethical conduct with prescribed policies for internal discipline to ensure compliance.

CHAPTER 4 - CODE OF ETHICS

0-402. WE REVERE THE TRUTH. We accept nothing less than truth, honesty and integrity in our profession.

0-402.05 Employees will truthfully and impartially report, testify, and present evidence in all matters of an official nature.

0-403. WE ENFORCE THE LAW. We recognize that our basic responsibility is to enforce the law. Our role is to resolve problems through the law, not to judge or punish.

0-403.02 Officers will follow legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

0-403.05 Officers will, within their jurisdiction, preserve the public peace, protect life and property, and enforce the laws for which the Department is responsible.

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0-404. **WE SEEK COMMUNITY PARTNERSHIP.** We view the people of our community as partners who deserve our concern, care and attention. We are committed to reducing the fear of crime in our community, and we endeavor to do this by creating partnerships in our neighborhoods.

0-404.01 Employees must recognize the basic goals of the community and the Department and work with each other and all citizens to make El Paso a better place to live.

0-404.03 Employees will recognize that their highest priority is to serve the people of this community.

0-404.04 Employees will consider themselves a valued part of the community policing team.

0-404.05 Employees will react to complaints or reports courteously and judiciously in accordance with Department procedures.

0-404.06 As police employees are under constant observation by the public, they will present themselves as leaders within the community and always be professional and courteous, both on and off duty.

0-405. **WE HONOR OUR POLICE POWERS.** We understand that our police powers are derived from the people we serve. We do not tolerate the abuse of our police authority.

0-405.02 Employees will provide every person in our society with professional, effective and efficient law enforcement services.

0-406. **WE CONDUCT OURSELVES WITH DIGNITY.** We recognize that our personal conduct, both on and off duty, is inseparable from the professional reputation of both the Officer and the Department.

0-406.04 Employees, as professionals, will maintain an awareness of those laws, policies, and other factors affecting their responsibilities.

0-406.07 Employees will maintain a level of performance and competence that will keep them abreast of current techniques, concepts, laws and requirements of the profession. Employees will strive for professional excellence.

0-406.08 Employees will strive to set an example for other law enforcement personnel.

**CHAPTER 1 - ABOUT THE PROCEDURES MANUAL**

1-101. **ESTABLISHMENT.** The Procedures Manual of the El Paso Police Department is established by order of the Chief of Police and is hereafter referred to as the "Procedures Manual."

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**1-101.01 CONTENT.** The Procedures Manual describes the organizational structure of the El Paso Police Department (hereafter referred to as the "Department"), projects the police purpose and sets forth policies and procedures in keeping with that purpose. In the event that any provision herein will conflict with the City Charter, any City Ordinance, a rule or regulation of the Civil Service Commission or a provision in the Contract, the City Charter, City ordinance, Civil Service Commission rule or the Contract will prevail.

**1-101.02 AUTHORITY.** The Procedures Manual is an official document of the Department. All employees will comply with the provisions of the Procedures Manual except where clearly inapplicable. All pre-existing orders and Department regulations, inconsistent with the Procedures Manual, are hereby revoked.

**CHAPTER 3 - PROPERTY/EVIDENCE**

**5-301. COLLECTION AND PRESERVATION OF EVIDENCE.** To support a case, evidence collected should have the following characteristics:

- 1) Each piece is identifiable.
- 2) Location of the items and the time of collection is described.
- 3) Evidence was protected from alteration by being kept in continuous and proper custody from the moment of collection until presentation in court.

**5-301.01 PROPERTY AND EVIDENCE CONTROL.** Investigative Officers are responsible for collecting all evidence relating to a crime. Officers collecting evidence will initiate a Chain of Evidence Form which describes the evidence by brand name, serial number, color, physical description, and any other information which would help identify the item(s).

**A. Control.** The Chain of Evidence Form is used to show continuous and proper custody of evidence and that the evidence was not susceptible to alteration. Officers will ensure that the Chain of Evidence Form remains with the evidence, at all times, and is properly completed any time custody changes.

**1. Property Receipt.** Officers who take custody of any property will issue a Property Receipt to the person who had previous possession or control of the items. All photographic evidence will be handled in the same manner as other property.

**B. Labeling and Securing Evidence.** Officers collecting evidence must tag the items with the related case number, date collected, and the Officer's initials. Evidence

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will be secured in provided evidence bags or in a manner that prevents spillage or the loss of components.

C. Evidence Lockers. Officers may use the evidence lockers located at each Regional Command and other police facilities for submitting evidence, abandoned property or property held for safekeeping. Officers may also transport evidence directly to the Property Office.

1. Evidence lockers will be placed in a controlled access area of the building. These lockers are only for items being sent to the Property Office.
2. Evidence will be placed in an evidence locker with a completed Chain of Evidence Form attached. Officers will lock the evidence locker and drop the key through the slots of the locker door.
3. Officers will complete the Chain of Evidence Log located with the evidence lockers. Officers must provide the case number, Officer's name and ID number, and the date and time the evidence was turned in.
4. The Property Office custodian will have a master key to the lockers and will remove all items found during periodic pick-ups. The Property Custodian will complete the Chain of Evidence Log with the date and time of pickup, locker number, and the custodian's ID number. All log sheets will be turned in to the Property Office on a monthly basis.

SPECIFICATIONS:

On September 10, 2004, at approximately 8:24 p.m., you were working on duty and responded to the 8900 block Escobar reference a vehicle accident. You identified the drivers involved and requested insurance and driver's licenses from both parties. Mr. Tovar, one of the drivers involved in the accident, did not have any form of identification nor insurance so you subsequently asked him to sit in the back of your patrol car while you conducted your investigation. Ms. Perla Peralta, wife of Mr. Tovar, was in the vehicle with Mr. Tovar at the time of the accident. You therefore asked her who owned the vehicle. She told you the van was hers. You then asked her for her driver's license at which time she provided you with her Texas Identification Card.

You also noticed that her van had new Motor Vehicle Inspection (MVI) sticker and Motor Vehicle Registration (MVR) stickers on the windshield. You therefore asked where she had obtained her MVR and MVI stickers since you believed that she could not legally obtain them without insurance or a Texas Driver's License. Ms. Peralta advised you that she had obtained the stickers legally. In your administrative statement, you stated that you told Ms. Peralta her stickers were not valid and, "...were obtained by illegal means...". You admitted that you therefore, "...gave Ms. Peralta a choice of either removing the stickers from her windshield and her husband gets tickets for not having the stickers, or, if I take the stickers off, she would get arrested for displaying stickers that were illegally obtained." You further admitted that Ms. Peralta chose to remove the stickers herself, and you subsequently

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arrested and booked her for outstanding warrants. Mr. Tovar was subsequently cited for no MVR or MVI among other traffic violations. However you never seized the stickers that you believed were illegal nor did you create a report and submit them as evidence for the suspected offenses of 548.603 TC, Fictitious or counterfeit inspection certificate or insurance document, Class B Misdemeanor OR 37.10 PC Tampering with governmental record, Class B Misdemeanor.

In order to maintain a professional, well functioning organization, the Department has established guidelines, policies, and procedures for officers to follow. As an El Paso Police Officer, it is your responsibility to abide by those standards. Your dereliction of duty in this case reflects poorly on your professional judgment and sense of responsibility. We expect you to observe Departmental policies and procedures, and other factors affecting your responsibilities, in order to avoid any further violations.

**Your disciplinary history reflects the following:**

On October 8, 2000, Officer Hernandez, your partner, and yourself were dispatched to [REDACTED]

You and your partner took the patient to [REDACTED] where you became involved in a verbal argument with the patient in front of the patient's family members and hospital staff. During the verbal altercation with the patient, you called her a whore, fat, skank, bitch, and that she smelled bad. You also had a verbal altercation with the hospital staff, which did not approve of your unprofessional conduct. You received a written reprimand.

On April 2, 2001, you missed municipal court, and your absence was unexcused. This was the second unexcused failure to attend municipal court in a six-month period. The first being on January 17, 2001. You received a written reprimand.

On October 9, 2002, you failed to appear in municipal court as scheduled. You also failed to appear in municipal court on September 23, 2002. This was your second unexcused absence from municipal court within a six-month period. You received a written reprimand.

On March 18, 2003, you were involved in a preventable vehicle accident with a marked unit. You received a written reprimand.

On March 19, 2004, you met with Sgt. Menchaca reference a complaint that a citizen made against you. During the meeting, you used unprofessional language and comments about the complainant. You received a two (2) day suspension.

On the basis of the foregoing and your disciplinary history, you are suspended for **TWENTY FOUR (24) HOURS**. Further misconduct may result in harsher discipline.

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## NOTICE OF SUSPENSION

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You have thirty (30) days from the date you receive this notice to appeal this suspension to the Civil Service Commission or, at the election of the Association, to an arbitrator.


Pursuant to the Articles of Agreement between the Municipal Police Officers Association and the City of El Paso, Article 26, you may request, and the Chief may agree, to allow you to forfeit vacation days for a period not to exceed 10 days of your suspension. However, by requesting that option, and upon approval of that request, you will waive your right to appeal this action.

The attached Appendix provides a space for you to request this option. Whether you choose to request this option or not, you **MUST** complete and return the attached Appendix to the Internal Affairs Division Commander no later than 10 days from the date you receive this notice or face separate disciplinary action.

The Department reserves the right to amend these charges and specifications at any time.

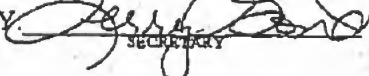
I have read pages 02-08, of this Notice and I incorporate these pages 02-08, into this Notice just as if I had signed each page.

I HAVE RECEIVED A COPY OF THIS NOTICE

  
EMPLOYEE'S SIGNATURE03/04/05  
DATE  
DEPARTMENT HEAD3-2-05  
DATE

BY REGISTERED MAIL NO: \_\_\_\_\_

IA04-176

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SECRETARY

APPENDIX "A"

THIS FORM MUST BE HAND DELIVERED TO YOUR SUPERVISOR, IMMEDIATELY UPON LEAVING THE INTERNAL AFFAIRS OFFICE.

TO: COMMANDER R. PANTOJA VIA CHAIN OF COMMAND

FROM: INTERNAL AFFAIRS DIVISION

RE: IA CASE # IA04-176

This form serves to notify you that a disposition has been determined on the above listed administrative case affecting: NAME : Martina Goroeoff #1817 DISPOSITION: Twenty-Four (24) HOURS.

ATTENTION : Martina Goroeoff #1817

This is a written direct order that you must serve your suspension as indicated below:

Enter Employees Kronos ID 006088 SSN [REDACTED]

[To be completed by employee's supervisor(s)] Date of suspension from 3-11-05 to 3-13-05  
Suspension must begin within three weeks of receiving this notice.

If the employee is scheduled to serve the suspension on non-consecutive dates, list those dates and hours below:

Date to return to work: 3-13-05 Total hours of suspension to be served: 24 (SUS)

~~COMPLETE AND ATTACH THIS ORIGINAL TO THE ORIGINAL SUSPENSION NOTICE~~

AND / OR

Vacation in Lieu of Suspension

If the employee requests to forfeit vacation time for a suspension period up to 80 hours,

~~COMPLETE AND ATTACH THIS ORIGINAL TO THE ORIGINAL SUSPENSION NOTICE~~

Indicate number of hours to be taken as Vacation in Lieu of. \_\_\_\_\_ (VIS)

TOTAL NUMBER OF HOURS 24 = 24 (SUS) + \_\_\_\_\_ (VIS)

Employee's Supervisor's Signature \_\_\_\_\_

Date: \_\_\_\_\_

This is a written direct order that you MUST return this completed form to the Internal Affairs Division Commander no later than: March 14, 2005 or face separate disciplinary action.

Employee's Signature [Signature]

IAD Supervisor's Signature R. Caballero

Date: 03/04/05

Date: 3/4/05

Date returned to IAD 3/7/05

IAD Supervisor signature R. Caballero

Distribution: Original – IAD. Copies for City Personnel (HR); PD Payroll; & Personnel file Chief's office  
Effective: September 13, 2004





CITY OF EL PASO  
Human Resources Department  
Leave Request

NAME (Last, First, Middle Initial): <b>Gorocoff, Martina</b>		EMPL ID # <b>006688</b>	Last 4 Numbers of SS # <b>[REDACTED]</b>
DEPARTMENT: <b>EL PASO POLICE DEPARTMENT</b>		DATE: <b>03-06-05</b>	
I am requesting an absence from duty for ___ hours, effective from ___ to ___ inclusive. I am requesting an absence from duty for ___ hours, effective from ___ to ___ inclusive. I am requesting an absence from duty for <b>24</b> hours, effective from <b>03-11-05</b> to <b>03-13-05</b> inclusive. Reason for Request: <b>Suspension</b>		Pay Period Ending _____ Sched _____ Pay Period Ending _____ Sched _____ Pay Period Ending _____ Sched _____ <b>For use by Payroll Clerk ONLY</b>	
PERSON NOTIFIED: <b>Sgt. Ransom #1510</b>		DATE: <b>03-06-05</b>	TIME: <b>7: 00 PM</b>
Submitted with Retroactive Adjustment Form: Schedule _____ Pay Period Ending _____			
CODE	TYPE OF LEAVE	AMOUNT	CODE TYPE OF LEAVE AMOUNT
ABT	Accrued Birthday Holiday Taken Date of Birth: _____	_____ Hrs.	LWO Leave Without Pay _____ Hrs.
ACC	Accident With Pay and Comp. (On or After 11/03/91) Date of Injury: _____	_____ Hrs.	MIL Military Leave With Pay _____ Hrs.
ACP	Accident With Pay W/Out Comp. (On or After 11/03/91) Date of Injury: _____	_____ Hrs.	PTL Sick Leave (Parental) _____ Hrs.
BALANCES	_____ Sick _____ Vacation _____ Holiday _____ Birthday		SEL Sick Leave (Emergency) _____ Hrs.
ADM	Administrative Leave	_____ Hrs.	SLD Sick Leave (Disability) Relationship: _____ Hrs.
AHT	Accrued Holiday Taken	_____ Hrs.	SLF Sick Leave (Funeral) Relationship: _____ Hrs.
AWO	Unauthorized Leave Without Pay	_____ Hrs.	SLM Sick Leave (Maternity) _____ Hrs.
AWP	Accident With Pay (Prior to 11/03/91) Date of Injury: _____	_____ Hrs.	SLP Sick Leave _____ Hrs.
BHL	Birthday Holiday Date of Birth: _____	_____ Hrs.	SPD Sick Leave (Personal Days) _____ Hrs.
CVL	Civil Leave With Pay (Includes Jury Duty)	_____ Hrs.	SSL Special Sick Leave _____ Hrs.
CWP	Conference With Pay	_____ Hrs.	<b>SUS</b> Suspended Without Pay <b>24 Hrs.</b>
LAB	Leave for Association Business (For Fire/Police Uniformed Employees Only)	_____ Hrs.	VAC Vacation Leave _____ Hrs.
SUPPORTING DOCUMENTATION ATTACHED: <input type="checkbox"/> Physician's Certificate <input type="checkbox"/> Jury Summons (Original) <input type="checkbox"/> Obituary Notice for Funeral Attendance <input type="checkbox"/> Military Orders <input type="checkbox"/> Certificate of Jury Service <input type="checkbox"/> Other			
EMPLOYEE'S SIGNATURE: <i>[Signature]</i>		DATE: <b>03-06-05</b>	
SUPERVISOR'S SIGNATURE: <i>Sgt Ransom</i>		DATE: <b>03-06-05</b>	
DEPARTMENT HEAD'S SIGNATURE: <i>Sgt Ransom</i>		DATE: <b>3/6/05</b>	
IF APPLICABLE, CHECK BELOW: <input checked="" type="checkbox"/> Employee wants copy of this form. <input type="checkbox"/> Employee was not available to sign this form.		DATE: _____	DISTRIBUTION: Original - Personnel Copy - Department Copy - Employee <i>TAD</i>

6/2003

Leave Request Form (manual).dot



EL PASO POLICE DEPARTMENT  
SPECIFICATION REVIEW LOG

Case : IA04-176  
Employee : Martina Goroeff #1817  
Disposition : Twenty-four (24) Hour Suspension

---

The attached suspension specifications have been reviewed by:

IAD Commander :	 Signature	<u>3/08/05</u> Date
IAD Attorney :	 Signature	<u>3-3-05</u> Date

**IA04-176**

## **INVESTIGATIVE SUPPLEMENTS**

**MC**

## Supplement Report

### Investigative Case Log

Case number: IA04-176

El Paso Police Department  
Internal Affairs Division

Allegation: 1, 1A  
Complainant: Perla Peralta  
600 N. Carolina  
El Paso, TX 79907

---

#### 10/05/2004 (Tuesday):

The undersigned was assigned the case; the case was reviewed. The undersigned sent Brian O'dell and e-mail to sequester the Mobile Video Recording tape for the Accused Officers vehicle for the day. The undersigned also worked on case no. IA04-099, IA04-164 and completed the walk-in complaint by Robert Cordova.

#### 10/18/2004 (Monday):

The undersigned spoke to Sgt. Prieto (no. 1450) who advised that he did not have the MVR video, the tape had been sent with the PID. The undersigned spoke to Ms. Rosales, IAD receptionist, who advised that she did not receive the PID with the videotape.

#### 11/15/2004 (Monday):

The undersigned reviewed the case and worked on it: the case was organized, IAD coversheets were attached and 180<sup>th</sup> day calculator was also attached.

#### 11/29/2004 (Monday):

The undersigned viewed the Mobile Video Recording of the incident. The undersigned also obtained names from the accident report as possible witnesses to the incident. The names were the passengers in vehicle one and were cross referenced in RMS. The names did not come back with an address.

#### 12/07/2004 (Tuesday):

The undersigned called Perla Peralta at her listed home number (591-7289) to ascertain if a statement could be taken from her husband Robert Tovar. The undersigned was advised that the phone number was disconnected. The undersigned thus sent Robert Tovar a five-day letter with the indicated response date of Monday 12/13/2004. It should be noted that on the date of the incident Mr. Tovar was turned over to the U. S. Border Patrol for deportation. The undersigned requested the last 2 evaluations for the Accused Officer. The undersigned went to 600 N. Carolina no. 74, there was no answer at the door and thus a business card was left. The undersigned later received a call from Raymond Soto (DOB [REDACTED]), son of the Complainant. He advised that Mr. Robert Tovar no



longer lives with them and he has not seen him for a long time, he will advise the Complainant to call the undersigned.

12/10/2004 (Friday):

The undersigned called El Paso Towing and was advised that the Tow Truck Driver was JJ Chavez. A message was left with Lydia for him, she advised that she could not give his address or phone number.

12/13/2004 (Monday):

The undersigned received a message giving J.J. Chavez' home phone number as 856-0467. The undersigned called the phone number and left the message on the voicemail. The name given on the voicemail was Juan Chavez. An A-Name search in RMS for phone number 856-0467 revealed the following for Juan Chavez: DOB [REDACTED] address of 3588 Lyman Ln., Mountain Vista, Social Security of [REDACTED], who did work for El Paso Towing on 09/11/2004. A five-day letter was sent to J.J. Chavez with the indicated response date of 12/20/2004. An e-mail was sent to the Accused Officer requested contact. The undersigned received a call from the Witness J.J. Chavez who advised that he is currently a security guard and will be at 9120 Dyer "Lowe's" Grocery Store, a statement can be obtained from him there at 1300 hrs. The undersigned was unable to locate the address or the business. The undersigned called MVRCC, an appointment was set with the Monday at 1300 hrs. The undersigned received a call from Mrs. Peralta (633-8194) who advised that her husband had been deported on the day of the incident. The undersigned called Ms. Peralta at the listed phone number, Ms. Peralta advised that her daughter Tina Marie Tovar (DOB [REDACTED]) was in the car. She does not believe that Tina Marie Tovar overheard the conversation because they were separated by the Accused Officer and thus did not want her daughter interviewed. The undersigned discussed inability to locate "Lowe's" Grocery with Ofc. Duarte who advised that it was at the location of the old Southwest supermarket but the name "Lowe's" was in small print. The undersigned went out to Lowe's and met with Antonio Amaya who advised that the Witness Juan Chavez had just left. Upon return to the office, the undersigned had a message from Juan Chavez. The undersigned called him and made an appointment for tomorrow at Juan Chavez' home.

12/14/2004 (Tuesday):

The undersigned went to 3588 Lyman and obtained a statement from Mr. Juan Chavez, Det. Munoz accompanied the undersigned. The undersigned spoke to the Accused Officer and an appointment was set for Monday at 1300 hrs.

12/16/2004 (Thursday):

The undersigned worked on the summary.

12/20/2004 (Monday):

The undersigned obtained a statement from the Accused Officer Martina Goroeoff.

12/23/2004 (Thursday):

The undersigned called the County Tax Office on Zaragosa (860-2563) and spoke to Jorge Perez who advised that following: insurance is needed to obtain registration. To obtain insurance, a person needs a Texas DL or a Texas ID, the requirements vary per insurance company. The summary was worked on and the case was turned in.

*Detective Mario Chaides (no. 1739)*  
*Professional Responsibility Unit*  
*Internal Affairs Investigator*

**PROFESSIONAL RESPONSIBILITY UNIT  
INVESTIGATION CHECKLIST**

Employee: M. G. Gendoff 1817

Case: IA04-176  
Date Assigned: 10/05/2004  
Turn In Date: 10/23/2004  
Date Disposed: \_\_\_\_\_

Case Agent: \_\_\_\_\_

Complainant: Perla Peratta  
History: Yes ☐ No ☐

10-Day Letter: Mailed Out Date: \_\_\_\_\_  
Receipt Returned Date: \_\_\_\_\_  
Letter Returned Date: \_\_\_\_\_

**Officer Notification:**

E-Mail ☐ ☐  
Hard Copy ☐ ☐  
Other ☐ ☐

**Copy of PID:**

Officer ☐ ☐  
Division ☐ ☐  
Chief's Office ☐ ☐  
Personnel ☐ ☐

**Logbook Updated** ☐ ☐

**Database Updated** ☒ 11/1/05

**Disposition:**

Written ☐ ☐  
Suspension ☐ ☐  
Training ☐ ☐  
Counseling ☐ ☐  
Div. Counseling ☐ ☐

**Suspension:**

Copy to Payroll ☐ ☐  
Copy to Personnel ☐ ☐  
Vacation Option ☐ ☐

**Settlement Agreement:**

City Attorney ☐ ☐  
Clerk Attorney ☐ ☐

**History Card Updated** ☒ 11/1/05

**Complainant Letter Sent** ☐ ☐

**Synopsis Updated** ☒ 11/1/05

*3 Days  
Resolution & JURY  
Use her words  
that she knew PVR  
was confidential  
she failed to  
warn her  
about*



***IA04-176***

## **POLICIES AND PROCEDURES**

***MC***

**Supplement Report****Investigative Case Log**

Case number: IA04-176

**El Paso Police Department  
Internal Affairs Division****Allegation: 1, 1A  
Complainant: Perla Peralta)**

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**0-101. PURPOSE.** The purpose of this document is to give practical meaning to our stated Department Mission and Values by setting forth for all officers and employees of the El Paso Police Department articulated policies, procedures and codes of conduct which encompass and describe expectations of behavior and conduct, both on duty and off duty.

**0-201. POLICY.** All members of the Department will become familiar with these standards and will abide by them. Violations constitute grounds for disciplinary action.

**0-301. POLICE POWERS.** Officers take an oath to support the Constitution of the United States, and the Texas Code of Criminal Procedure gives Peace Officers the authority to prevent or suppress crime and to arrest. As Peace Officers, sworn employees of the El Paso Police Department must use only lawful means to do so. The Texas Penal Code justifies actions and describes conditions under which certain acts, for law enforcement purposes, constitute defenses to penal code offenses. Officers will not abuse their authority and will not take official action contradicting their oath. The police powers of officers of this Department may be suspended by the order of superior officers acting on behalf of the Chief of Police.

**0-302. LIMITATIONS ON AUTHORITY.** Codes of conduct are as essential to a well functioning, correctly disciplined organization as proper laws are to society. Police officers and public employees are granted a public trust which requires that they consistently demonstrate the highest degree of integrity. The purpose of policies, orders, and procedures is to maintain a high level of personal and official conduct in order to command the respect and confidence of the public.

**0-302.01 SCOPE.** Nothing in the Department's policies, orders, or procedures is intended to limit or supersede any provision of law relating to the duties and obligations of peace officers or the consequences of a violation thereof. When this code specifies certain conduct as unprofessional, this is not to be interpreted as approval of conduct not specifically mentioned. From time to time, the Department may implement orders that may change, alter or supersede a policy or procedure set forth herein. Once notice of an order is given, employees will be responsible for learning any new procedures and abiding by them.

MC

**0-303. COURSE OF ACTION.** Members of the Department confronted with situations that are not specifically covered by this code, these procedures, or other Department policies must use their best judgment and make decisions as to the appropriate course of action or conduct based upon training, experience and, perhaps most importantly, the mission and values of our Department.

**0-304. ETHICAL STANDARDS.** The El Paso Police Department has created and adopted a Mission Statement and published Core Values. These values are not just empty words, but an important code of ethics and standards upon which we base our performance, conduct, policies and procedures. Professionalism dictates, in addition to prescribing a desired level of performance, the establishment of minimum standards of ethical conduct with prescribed policies for internal discipline to ensure compliance.

**0-401. WE RESPECT LIFE.** We hold the preservation of life as our sacred duty. Our value of human life sets our priorities.

**0-401.01** The primary responsibility of the officers of the El Paso Police Department is to protect the people within its jurisdiction and to uphold the Constitution of the United States, the Texas State Constitution and the laws derived therefrom.

**0-401.02** Employees will respect and uphold the dignity, human rights, and constitutional rights of all persons.

**0-401.03** Employees will not mistreat persons who are in their custody or care and will handle such persons in accordance with the law and Department procedures.

**0-401.04** Officers will not use more force than is reasonably necessary and will use force in accordance with the law and Department procedures.

**0-401.05** Employees will be courteous to the public. Employees will be tactful in the performance of their duties, will control emotions and exercise patience and discretion. Employees will not express any prejudice concerning race, color, religion, gender, politics, national origin, lifestyle or similar characteristics.

**0-401.06** Employees will not allow their personal convictions, beliefs, prejudices or biases to interfere with the appropriate execution of official acts or decisions.

**0-402. WE REVERE THE TRUTH.** We accept nothing less than truth, honesty and integrity in our profession.

**0-402.01** Employees will follow the principles of integrity, fairness and impartiality in connection with their duties.

MC



**0-402.02** Employees will not knowingly make false accusations of any criminal, ordinance, traffic or other violation.

**0-402.03** Employees will treat the official business of the Department as confidential. Information regarding official business will be disseminated only to those for whom it is intended in accordance with established Department procedures. Employees will not divulge the identity of persons giving confidential information except as authorized by proper authority.

**0-402.04** Employees will not make false official statements.

**0-402.05** Employees will truthfully and impartially report, testify, and present evidence in all matters of an official nature.

**0-403. WE ENFORCE THE LAW.** We recognize that our basic responsibility is to enforce the law. Our role is to resolve problems through the law, not to judge or punish.

**0-403.01** Employees should strive to uphold the spirit of the law, as opposed to enforcing merely the letter of the law.

**0-403.02** Officers will follow legal practices in such areas as interrogation, arrest or detention, searches, seizures, use of informants, and collection and preservation of evidence.

**0-403.03** Employees, within legal and Department guidelines, will share appropriate information with other employees and other agency personnel that will facilitate the achievement of criminal justice goals or objectives.

**0-403.04** Employees, whether requested through appropriate channels or called upon individually, will render needed assistance to any other employee in the proper performance of their duty.

**0-403.05** Officers will, within their jurisdiction, preserve the public peace, protect life and property, and enforce the laws for which the Department is responsible.

**0-404. WE SEEK COMMUNITY PARTNERSHIP.** We view the people of our community as partners who deserve our concern, care and attention. We are committed to reducing the fear of crime in our community, and we endeavor to do this by creating partnerships in our neighborhoods.

**0-404.01** Employees must recognize the basic goals of the community and the Department and work with each other and all citizens to make El Paso a better place to live.

MC

0-404.02 Employees will, within legal and Department guidelines, attempt to communicate to the people of their community the goals and objectives of the profession and keep them informed of conditions which threaten the maintenance of an ordered society.

0-404.03 Employees will recognize that their highest priority is to serve the people of this community.

0-404.04 Employees will consider themselves a valued part of the community policing team.

0-404.05 Employees will react to complaints or reports courteously and judiciously in accordance with Department procedures.

0-404.06 As police employees are under constant observation by the public, they will present themselves as leaders within the community and always be professional and courteous, both on and off duty.

0-404.07 For identification when the need arises, off-duty Officers will carry the Department identification card whenever practical.

0-404.08 Employees will, within legal and Department guidelines, be honest and cooperative with the news media whenever possible.

0-404.9 Employees will foster partnerships with citizens by sharing non-confidential information regarding crime problems and solutions and encourage them to return the courtesy with neighborhood information.

**0-405. WE HONOR OUR POLICE POWERS.** We understand that our police powers are derived from the people we serve. We do not tolerate the abuse of our police authority.

0-405.01 Officers will be aware of the extent and the limitation of their authority in the enforcement of the law.

0-405.02 Employees will provide every person in our society with professional, effective and efficient law enforcement services.

0-405.03 Officers will not restrict the freedom of individuals by detention or arrest except to the extent permitted by law.

0-405.04 Employees will not knowingly mistreat or use unnecessary force toward any person. Employees are prohibited from harassing any person or taking unnecessary action that might create a confrontation.

MC



0-405.05 Employees will courteously and promptly record any complaint made by a citizen against any employee of the department. Employees may attempt to resolve the problem but will never attempt to dissuade any citizen from lodging a complaint. Employees will follow established Department policy for processing complaints.

0-405.06 Employees will not accept gifts or other benefits or engage in any conduct in violation of the City's Ethics Ordinance.

0-405.07 Employees will not use their position, identification card or badge for personal or financial gain, obtaining privileges not otherwise available to them, or avoiding the consequences of illegal acts.

0-405.08 Employees will not recommend, other than to family members, the employment of any attorney or bondsman, or suggest the name of any attorney or person for the purpose of providing legal advice.

0-405.09 Employees will avoid regular or continuous associations with persons whom they know, or should know, are under criminal investigation or indictment or who have a reputation in the community or Department for present involvement in felonious or criminal behavior, except as necessary in the performance of official duties or when familial or other similar close personal relationships make it unavoidable.

**0-406. WE CONDUCT OURSELVES WITH DIGNITY.** We recognize that our personal conduct, both on and off duty, is inseparable from the professional reputation of both the Officer and the Department.

0-406.01 Employees will obey all laws of the United States and of any State or local jurisdiction in which the employee is present.

0-406.03 Employees will be courteous and respectful in their official dealings with the public, fellow employees, superiors and subordinates.

0-406.04 Employees, as professionals, will maintain an awareness of those laws, policies, and other factors affecting their responsibilities.

0-406.05 Officers will maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession.

0-406.06 Employees will not participate in conduct which impairs their ability to perform as law enforcement employees or causes them or the Department to be discredited or brought into disrepute.

MC



0-406.07 Employees will maintain a level of performance and competence that will keep them abreast of current techniques, concepts, laws and requirements of the profession. Employees will strive for professional excellence.

0-406.08 Employees will strive to set an example for other law enforcement personnel.

0-406.09 Employees witnessing violations of the City's Ethics Ordinance or criminal acts by another employee will immediately report the incident to the supervisor on duty.

3-205.11 **PRISONER PROPERTY.** Officers are responsible for the accountability and protection of a prisoner's property until turned over to Booking at the jail. Officers will retrieve the prisoner's personal property for safekeeping and any property which can be used as a weapon. Officers should store prisoner property in a paper bag, stapled shut, and carry it with the prisoner to Booking. All firearms and weapons will be turned in to the Property Office as evidence.

*Detective Mario Chaides (no. 1739)  
Professional Responsibility Unit  
Internal Affairs Investigator*

MC

***IA04-176***

**COMPLAINANT(S) STATEMENT**

***MC***

## EL PASO POLICE DEPARTMENT

## SWORN STATEMENT

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This STATEMENT was given to SGT. PRIETO #1450  
of the EL PASO POLICE DEPARTMENT by PERLA PERALTA  
Address 600 N. CAROLINA #74

D.O.B. [REDACTED]  
Phone Number: 591-7289

SSN: [REDACTED]  
Time: 4:15 PM Date: 9/15/04  
Page 1 of 2 Pages

My name is Perla Peralta, I am 34 years of age and I currently live at 600 N. Carolina #74 where I have lived for the past 4 years. I am currently unemployed and am a U.S. resident and I have lived in El Paso, TX all my life. I am at the Mission Valley Regional Command center giving a statement to Sgt. Prieto over an incident involving an El Paso Police officer. I understand that wilfull misrepresentation of any fact in a sworn document can subject me to charges of Perjury.

P.P

On September 10, 2004 at about 8:23 PM my husband, my daughter and I were involved in a car accident at Valley Crest and Escobar. The police officer got there and went to speak to the young lady on the other car and then went towards my husband to get his licence and insurance which he didn't have either. The officer then arrested him for being illegal and asked me if I was the owner of the vehicle, I told her yes. She then asked me for an I.D. and checked me for warrants. She then came back and told me that I was going to have to go with her. She then asked me how did I have my stickers up to date if I did not have a license or insurance that was up to date. So I told her that I had insurance when I registered it under my name but that I had stopped paying for the insurance but that my car was legally registered. She then told me that that was not possible because they could not sell me insurance if I did not have a license. So I told her that it was possible because I have had other cars insured and I have never had a license. She then told me that I was going to have to scrape off the stickers because the car was not legally registered. She told me that If I did not take them off, she would take them off and make sure that I would not get the car out of the impound lot. I told her that I did not have any way to take the stickers off so she told me that I would have to scrape them off with my keys. I then took the stickers off with my keys because I was afraid of what she said about her making sure that I would not be able to get my car out of impound. I then asked her if I could get the vehicles out of the way because there were others cars passing. She told me that the car was going to be impounded and it was best to just leave it there. I then asked her why the vehicle was going to be impounded and asked her if my sister Maria Ortega could take the car. Before this, the officer let me use her phone to call my sister so that she could come pick-up my daughter. When I spoke to my sister, I told her to hurry up because the officer told me that if nobody could come out, she was going to have to call social services to pick up my 10 year old daughter. I then asked the officer if my sister could take the car and the officer told me that that was not possible because the car was not properly registered. I then told her that it was registered and the officer told me that if it was properly registered I would not have any problems getting it out of impound. I then told her that I would have problems since she had me remove the stickers. She then told me, well you're just going to have to register it the next day. She then told me that I was lucky that she was not going to give

P.P



me aticket for not having a registered vehicle and told me to stop telling her  
that the vehicle was registered.

P.P

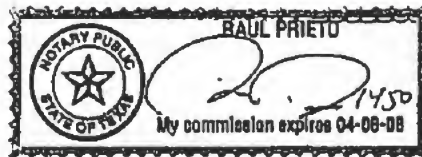
I have read the above statement and find it to be true and correct to the best  
of my knowledge.

*Perla Feralta*

Perla Feralta

Subscribed and sworn to before me, the undersigned authority, on this  
15th day of September, 2004.

Notary:



P.P



JM/DELNOVE

***IA04-176***

## **CIVILIAN WITNESS STATEMENT**

***MC***



EL PASO POLICE DEPARTMENT  
INTERNAL AFFAIRS DIVISION

7A04-176/mc

1 OF 2

Administrative Statement Case No.: 7A04-176.

Complainant: \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

This statement is given voluntarily to Det. Charides of the El Paso Police Department by Juan Jose Chavez, Address \_\_\_\_\_, D.O.B. \_\_\_\_\_, Phone \_\_\_\_\_, Time 0920 hrs, Date 12/14/2004.

My name is Juan Chavez and I am 24 years old. I am presently employed as a Akal Security with security officer and have been so for approximately 1 week. I am presently giving this statement voluntarily to Det. Maria Charides. I have not been promised, threatened, or forced in any manner to give this statement. I also understand that willful misrepresentation of any fact in a sworn document can subject me to possible charges of Perjury.

I am currently employed by Akal Security, I have been there for about 1 week. Before working at Akal Security, I worked at El Paso Towing for about 3 months.

I DO RECALL THE INCIDENT, IT HAPPENED SOME- TIME IN THE MIDDLE OF ~~SEPTEMBER~~ <sup>AUGUST</sup>, OR THE EARLY ~~PART~~ <sup>PART</sup>.

PART. I PICKED UP A GREY MINIVAN, I

THINK IT WAS A PLYMOUTH VOYAGER. THE

CAR WAS AT ESCOBAR STREET. I

REMEMBER THAT THE DRIVER SIDE DOOR

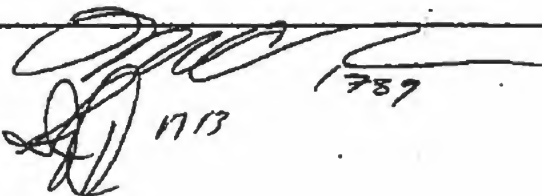
DID NOT OPEN. THE DRIVER SEAT WAS

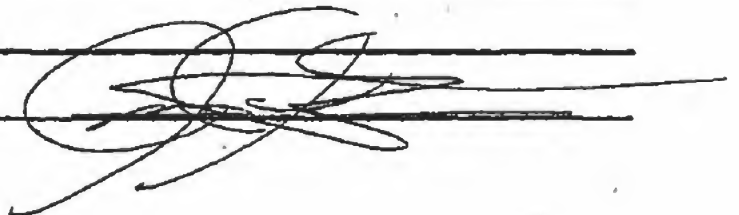
WET AND SMELLED OF URINE.

WHEN I GOT THERE, I SPOKE TO THE OFFICER. THE OFFICER WAS A WHITE FEMALE OFFICER, WITH SHORT REDDISH OR BLONDISH HAIR. SHE HAD AN ACCENT; I THINK SHE TOLD ME THAT WAS GERMAN OR CANADIAN. WHEN I FIRST GOT THERE SHE TOLD ME THAT I GOT THERE ~~TOO~~ FAST; EVEN THOUGH I HAD ~~THE~~ BEEN LOST FOR A WHILE.

WE STARTED TALKING AND SHE, THE OFFICER, TOLD ME THAT THE DRIVER HAD FAKE TAGS TO THE CAR AND INSURANCE. SHE TOLD ME THAT SHE MADE HIM SCRATCH THE FAKE TAGS OFF HIS WINDOW. WHAT I MEAN BY TAGS IS THE DECALS ON THE WINDOWS, THE TWO DECALS ON THE WINDOWS. I ASKED HER HOW HE ~~GET~~, THE DRIVER, GOT THE FAKE TAGS FOR THE VEHICLE. THE OFFICER REPLIED THAT SHE HAD ASKED THE DRIVER THE SAME THING.

I HAVE READ THE ABOVE STATEMENT AND FIND IT TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

 1713



**IA04-176**

**ACCUSED EMPLOYEE(S) STATEMENT(S)**

**MC**



**EL PASO POLICE DEPARTMENT  
INTERNAL AFFAIRS DIVISION****ADMINISTRATIVE STATEMENT CASE**

**COMPLAINANT:** Perla Peralta  
**ADDRESS:** 600 N. Carolina  
**PHONE:**  
**CASE NO:** IA04-176

This statement is given to Detective Mario Chaides (no. 1739) of the Internal Affairs Division of the El Paso Police Department by: Officer Martina Goroeoff (no. 1817)

Time: 1340 hrs.

Date: 12/20/2004

page 1 of pages 6 

**EL PASO POLICE DEPARTMENT  
INTERNAL AFFAIRS DIVISION  
ADMINISTRATIVE FORM**

I have been advised that I will be questioned as part of an Official Administrative Investigation. I will be asked questions specifically directed and narrowly related to the performance of my official duties or fitness for office. I am entitled to all the rights and privileges guaranteed by the laws and the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate myself, in criminal matters. I also have certain rights granted to me by the contract between the City of El Paso and the EPMPOA, and the Civil Service Rules and Regulations.

I have been further advised that if I refuse to testify or to answer truthfully question relating to the performance of my official duties or fitness for duty, I will be subject to Department charges. If I do answer, neither my statements nor any information or evidence which is gained by reason of such statements can be used against me in any subsequent criminal proceedings. However, these statements may be used against me in relation to subsequent Departmental charges.

I have been advised of my rights and do fully understand them.

I have been advised to fully and honestly assist in this investigation. My oath of office and the provisions of our Department's Procedures Manual require this personal and professional response to this investigation. My failure to do so may subject me to discipline for engaging in giving false and/or misleading statements during an administrative investigation. If I do answer, neither my statements nor any information or evidence, which is gained by reason of such statements, can be used against me in any subsequent criminal proceedings. However, these statements may be used against me in relation to subsequent Departmental charges.

**CONFIDENTIALITY ORDER**

I have been given a Direct Order by Lt. David Norman of the Internal Affairs Division not to discuss or disclose, in any manner, the nature or details of this investigation with anyone other than Internal Affairs Investigators, or my attorney. This Order also means that I am not to contact potential witnesses or complainants. A violation of the Order will result in Disciplinary Action.

Accused Officer Martina Goroeoff (no. 1817)

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MC

"On 12/20/20004, at 1340 hrs. at the Internal Affairs Office, I was ordered to submit this report (give statement) by Detective Mario Chaldes (no. 1739) to give this report (give this statement) at his order as a condition of employment. In view of possible discipline or dismissal. I have no alternative but to abide by his order. "It is my belief and understanding that the department requires this report (statement) solely and exclusively for internal purposes and will not release it to any other agency or authority except as is required by law. It is my further belief that this report (statement) will not and cannot be used against me in any subsequent proceedings other than disciplinary proceedings within the confines of the department itself".

For any and all purposes, I hereby reserve my constitutional right to remain silent under the FIFTH and FOURTEENTH AMENDMENTS to the UNITED STATES CONSTITUTION and other rights PRESCRIBED by law. Further, I rely specifically upon the protection afforded me under the doctrine set forth in GARRITY vs. NEW JERSEY 385 U.S. 493 (1967), SPEVAK vs. KLEIN 385 U.S. 511 (1967), and GARDNER vs. BRODERICK 392 U.S. 273 (1968), should this report (statement) be used for any other purpose of whatsoever kind or description".

I have been ordered to give an Administrative Statement and I give this statement voluntarily to Detective Mario Chaldes (no. 1739) of the El Paso Police Department/Internal Affairs Division.

I, Martina Goroeoff, am under a direct order to disclose any and all information about the case I am being questioned about.

*On 09/10/12004, you were dispatched to 8900 Escobar and investigated an accident, case no. 04-254358. Ms. Perla Peralta makes allegations that you made you destroy her vehicle's registration vehicle.*

1. Please detail any all actions that you took during the incident?

I was dispatched to a minor accident at the 8900 Block of Escobar. Unit #2 was driven by Mr. Tovar, who is the husband of Ms. Peralta. Ms. Peralta was the passenger and her 10-year old daughter was also in the van. After I identified the drivers of the vehicles involved in the accident, I asked each one for a driver's license and insurance. Mr. Tovar had neither. Mr. Tovar also did not have any kind of identification with him, so I asked him to sit in the back of my police car. I asked Mr. Tovar if he owned a Texas driver's license or a TX ID Card. He said he did not. I then asked Mr. Tovar for his passport (another form of legal and valid identification). Mr. Tovar told me he did not have a passport and upon inquiring if he was illegally here in the US, Mr. Tovar admitted that he was. After I obtained Mr. Tovar's name and DOB, I verified that information with Ms. Peralta, who also verified that her husband did not have any papers.

As part of the accident investigation, I asked Ms. Peralta who the owner of the van was. She told me that it is her van and I then asked her for her driver's license. Ms. Peralta handed me a Texas ID Card, stating that she did not have a license. When I checked the license plates, I found that the van was, indeed, registered to Ms. Peralta. I also found that there's no record of Ms. Peralta having (or having had) a driver's license. I checked everyone for outstanding warrants and was advised by Channel One that Ms. Peralta had several outstanding traffic warrants.



I also observed that Ms. Peralta's van displayed a new MVR and MVI sticker. Knowing that one can not legally obtain insurance without a driver's license and one can not get either sticker without insurance, I asked Ms. Peralta where she had gotten the stickers from. Ms. Peralta informed me that she bought the MVR sticker at the Tax Office. I asked her how she had bought the sticker without having insurance. Ms. Peralta stated that she had bought insurance just for that month in order to obtain the stickers for her van. I explained to Ms. Peralta that here in Texas, one cannot legally obtain insurance without a driver's license and asked her what insurance company she had bought the insurance. Ms. Peralta said that the Tax Office sold her the insurance so she could get her stickers. I told Ms. Peralta that the Tax Office does not sell insurance and again, asked her what the name of the insurance company was, asking if it was Fred Loya, AAMCO, Progressive, or any insurance company like that. Again, Ms. Peralta insisted that the Tax Office sold her the insurance.

I proceeded to explain to Ms. Peralta that the stickers on her car are not valid as they were obtained by illegal means - first of all, one can't legally buy insurance in Texas without having a driver's license and second, the Tax Office does not sell insurance. I gave Ms. Peralta a choice of either her removing the stickers from her windshield and her husband gets tickets for not having the stickers, or, if I take the stickers off, she would get arrested for displaying stickers that were illegally obtained. Ms. Peralta chose to take the stickers off herself.

After that, I told Ms. Peralta that she had several outstanding traffic warrants and that she would be under arrest. I asked Ms. Peralta if I could call anyone who could come and pick up her daughter within 20-30 minutes or so. If I remember correctly, Ms. Peralta was reluctant at first, saying that there was no one. I informed Ms. Peralta that if no one could come for her daughter, her daughter would have to go to Child Protective Services. Ms. Peralta said that her sister lived close by and that she could probably come. I let Ms. Peralta use my personal cell phone to call her sister.

Ms. Peralta asked what would happen to her husband and was informed that I would take him to the Border Patrol to obtain positive identification. Once I had positive identification, he would get the tickets and turned over to the Border Patrol. After Ms. Peralta's sister arrived, they asked if the sister could take the van. I told her "no" because the van was not insured.

I waited to handcuff Ms. Peralta and place her into the back of my police unit until her sister and daughter drove away. After the van was picked up by the El Paso Towing, I transported Ms. Peralta (handcuffed) and Mr. Tovar (not handcuffed) to the MVRC. As soon as I secured Ms. Peralta in a holding cell, I took Mr. Tovar to the Ysleta POE Border Patrol Station. The Border Patrol had a record of Mr. Tovar under a slightly different name and DOB. After checking Mr. Tovar for warrants (with the slightly different name and DOB) and he was clear, he received citations for: no insurance, no driver's license, no/exp MVR and no/exp MVI.



Ms. Peralta was booked into the County Jail for the outstanding traffic warrants. The next day or thereabouts, I ran into Sgt. Haddad, who was at the MVRC, working off-duty housing. I gave Ms. Peralta's and Mr. Tovar's name and DOB to Sgt. Haddad as Ms. Peralta has been living in various housing projects throughout the city of El Paso over the years and had her illegal alien husband living there with her.

2. Did you arrest Mr. Robert Tovar for being illegal? If so, why? If not, what actions did you take concerning Mr. Robert Tovar?

Mr. Tovar was never under arrest and was never handcuffed. Due to the fact that Mr. Tovar was an admitted illegal alien and did not have any identification with him, I had to get positive ID on him in order to give him the traffic citations.

3. Did you advise Ms. Perla Peralta that her vehicles registration was illegal? If so, why?

SEE QUESTION ONE

4. Did you instruct Ms. Perla Peralta that she needed to tear up the registration sticker? If, so why? Please detail your answer.

After informing Ms. Peralta about the requirement to legally obtain insurance and her insisting that she bought the insurance at the Tax Office (and not being able to name an insurance company), I gave Ms. Peralta the choice of removing the stickers and her husband (who was driving the van) getting tickets for the stickers, or, if I remove the stickers, she would go to jail for those stickers, Ms. Peralta removed the stickers from the windshield of her van.

5. What consequence were given to Ms. Peralta, if she did not tear up the registrations sticker? Please, elaborate.

SEE QUESTION ONE & FOUR

6. Did you advise that Ms. Perla Peralta that if her sister did not pick up her daughter you would have to call social services? If so, why.

Yes, I informed Ms. Peralta that if she were unable to find someone to pick up her daughter, her daughter would have to go to Child Protective Services. That is standard procedure for any underage children whose parents are getting arrested. And she could not go with Mr. Tovar as he was being taken to the Border Patrol for identification purposes.

7. Did you allow Ms. Perla Peralta to use your phone to call her sister? If so, why?

Yes, I let Ms. Tovar use my cellular telephone to call whoever she needed to in order to make arrangements to have someone pick up her daughter. Ms. Peralta did not have a telephone of her own and the main reason I carry a cell phone is for work purpose; to call family members to pick up children, to call insurance companies to verify valid insurance, call Channel One to run subject(s) if the radio does not work...

8. Did Ms. Perla Peralta request that you allow her sister to take her vehicle? What was your response?

SEE QUESTION ONE

9. Why did you not allow Ms. Perla Peralta's sister to take her vehicle? Please, explain your answer.

Because the vehicle did not have insurance. I felt it would be negligence on my part to release the vehicle to anyone else but the owner (who was under arrest) and the vehicle would be involved in another accident.

10. Do you have any other information to add that may not have been covered by questions during the interview that is relevant or important to this investigation?

No, I do not.

11. Are you aware that relevant information means: having significant and demonstrable bearing on the matter at hand or affording evidence tending to prove or disprove the matter at issue or under discussion?

Yes, I am aware of the meaning "relevant information".

12. Are you aware that withholding any information that is relevant to this investigation can result in discipline up to and including termination?

Yes.

13. Are you withholding any information that is relevant to this investigation?

No, I am not withholding any relevant information.

14. Please identify any other persons who might have information relative to this investigation.

None that I can think of or could identify.

You are ordered to return and provide any information no later than the next working day of the unit conducting this investigation, should you later remember any relevant information. FAILURE TO COMPLY WITH ANY OF THE DIRECTIVES ABOVE CAN RESULT IN DISCIPLINE,

I HAVE READ THE ABOVE STATEMENT AND FIND IT TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. DETECTIVE MARIO CHAIDES (NO. 1739) OF THE INTERNAL AFFAIRS DIVISION HAS ADVISED ME OF THE ALLEGATIONS MADE AGAINST ME IN THIS ADMINISTRATIVE CASE AND HAS EXPLAINED THE DISCIPLINARY MATRIX TO ME. I HAVE BEEN ADVISED THAT THE ALLEGATION(S) MADE AGAINST ME FOR THIS INCIDENT WILL FALL UNDER THE "Unprofessional Conduct" ALLEGATIONS AS SET FORTH IN THE DISCIPLINARY MATRIX. I WAS ALLOWED TO TYPE THIS STATEMENT AND THESE ARE MY OWN WORDS. DETECTIVE CHAIDES GAVE ME THE OPPORTUNITY TO REVIEW THIS STATEMENT AND I DO NOT WISH TO ADD OR CHANGE ANYTHING.

*[Signature]* #1817

Accused Officer Martina Goroeoff (no. 1817)

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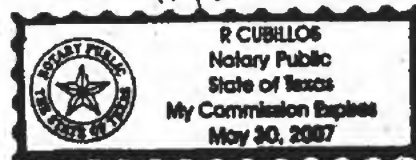
MC

Subscribed and sworn to before me, the undersigned authority, on this 21 day of DEC, 2004.

Witnesses:

Date:

*R. Cubillos*



Accused Officer Martina Goroeoff (no. 1817)

MC



***IA04-176***

## **SUPERVISOR'S DAILY LOG**

***MC***

# EL PASO POLICE DEPARTMENT SUPERVISOR'S DAILY LOG

Name: Sgt. Raul Prieto #1450  
Division: MISSION VALLEY REGIONAL COMMAND

Date: September 15, 2004

Complainant: Perla Peralta, 600 N. Carolina, 591-7289

On 9/15/04 at approximately 4:15 PM the above complainant arrived at the MVRC and advised me that she wanted to file a complainant against an officer for being discourteous and for taking her property from her without the authority to do so. The complainant described the officer as a white female, blond hair NOD.

The complainant stated she and her husband were involved in a traffic accident on 9/10/04 at approximately 8:30 PM. The complainant gave me a statement in which she stated that the officer was rude to her while conducting her investigation by not giving her the opportunity to have a relative drive her drivable car away and instead impounded the complainant's car. Additionally, the complainant alleges that the officer had no right to force her to remove her vehicle registration off from the windshield since the car was properly registered and the stickers did belong to her car. The complainant states that the officer gave her an ultimatum of either removing the sticker her self or having the officer remove the stickers and making sure the car would remain in impound.

The complainant brought two receipts from the Texas Department of Transportation indicating that her vehicle, 1990 Plymouth Voyager Van, bearing [REDACTED] Plates [REDACTED] was registered and that a fee of \$88.30 was paid.

The complainant stated she was very upset over having to remove her stickers knowing that she had paid for the stickers and feels that the officer or the department should be held responsible for her replacement stickers. Additionally, the complainant stated she has not been able to recover her vehicle from the impound lot as she is afraid that the operator will get pulled over for not having the required stickers. The officers log sheets indicate that officer Goroeoff was the handling officer.

On 9/19/04 I reviewed the MVR tape and the officer's log sheet and discovered that officer Goroeoff wrote down on her log sheet that she handled a traffic accident at 8900 Escobar at 2024 hrs. The tape revealed that she did not actually start recording the scene till 2102 hrs. The initial directions from the officer to the complainant (as described by the complainant), in which the officer told the complainant to remove the stickers was not recorded on tape. However at 2118 hrs officer Goroeoff is heard talking to the wrecker driver in which she talks at length about her having the complainant remove the stickers from the vehicle citing several reasons why she believed the sticker was fraudulent.

There is no report indicating that the sticker was removed and submitted in as evidence by officer Goroeoff alleging fraud. Recommend review by Commander Pantoja for further action.

## Attachments:

- Copy of 81 report 04-254358
- Copy of Texas Dept. of Transportation receipts
- Statement from complainant
- Copy of Complainant's I.D. card
- MVR Tape for V3422 recorded 9/10/04

Shift Commander

Division Commander:

SEE ATTACHED memo,  
DATED 9/20/04

***IA04-176***

## **LOG SHEETS AND WORK SCHEDULES**

***MC***



# EL PASO POLICE DEPARTMENT DAILY ACTIVITY REPORT

JA04-176

09/10/04		UNIT DESIGNATION 25685	DIVISION MURE	SHIFT 2
NO. 1 OFFICER GORDON		I.D. NO. 1817	NO. 2 OFFICER —	
VEHICLE NO. 13422		RADIO NO. 121	SHOTGUN NO. —	DAY Friday
TIME ON DUTY 5:00 TIME OUT 6:00 TIME IN 8:00		MILEAGE ENDING: 491 STARTING: 32421 TOTAL: 70	ASSIGNED SUPERVISOR Sgt. Hernandez	
		INITIALS		

VEHICLE AND EQUIPMENT CHECK							
INTERIOR D	EXTERIOR D	TIRES W	REDLIGHTS W	SIREN W	SPOTLIGHTS W	SPARE TIN	FLARES —
JACK/LUG WRENCH W	BLANKET —	FINGERPRINT KIT —	FIRST AID KIT —	DISTRICT MANUALS —	CAMERAS —	REFLECTIVE VEST —	IN CAR VIDEO MIC W
OTHER (list)				REMARKS 10/08/04			
LEGEND: C-Clean; D-Dirty; W-Working; Def-Defective; InV-In Vehicle; M-Missing; N/A-Not Applicable							

TASK LEGEND & RECAP									
			Calls for Service			CITATIONS:		ARRESTS:	
CP Contacts/Problems Identification	CP		Dispat	Observ		Hazardous	21	H	Felony
Persons Checked (Adults)	9	P	Patrol	1	1	Non-Hazardous	13	NH	Class "A"
Juveniles Checked		J	Traffic	4	2	Class "C" (Non-Curfew)	11	CC	Class "B"
Vehicles Checked	9	V	Comm. Policing			Curfew Viol.	1	C	Class "C"
Accident Inv	2	AI	Admin			Parking	11	PK	DWI
Accident Adv.	1	AV				School Zone	1	SZ	TOTAL
Radar Cit.	1	RC				Traffic Stop Arrests	—		
Mun. Code Viol.			No. of Reports Made	3		Traffic Focus			

LIST ALL ACTIVITIES IN CHRONOLOGICAL ORDER					
TIME OUT	TIME IN	TOTAL MIN.	LOCATION OF ACTIVITY	TASK CODE	ACTIVITY AND DISPOSITION - INCLUDE TICKET & DOCKET NUMBERS OR NAME WHEN NECESSARY
14:00	14:25	25/25	Station		Shift Meeting / Sup w/9/ copy subpoena from Court with
14:25	15:25	60/85	500 E. San Antonio	33	B-11 Pre-Trial broke for T1 /
T1 14:27	14:47	—	6424 E. 7th	87	37/16 [redacted] 15/Monica Berger
—	—	—	—	—	[redacted] 8105 Callison / C.7 / FTRR MUR, MUR
—	—	—	—	—	106, F/T signature) # [redacted] 9/310
T2 15:29	—	—	428 H. 14th	82	85 on 81 / Happened last Tuesday - minor damage
—	16:03	35/120	—	—	the car was neighbor's / Blue Form / 4/6/105
O1 16:04	—	—	300 Midway	82	TK / Roberto Rosales, [redacted]
—	16:10	5/125	—	—	6720 Esplanade [redacted] 4 - parking # 24-04188
T3 16:10	—	—	Embr / Alameda	83	81/2 x 229 / not minor damage / cat (FTRR Address, [redacted])
—	16:59	50/175	504-254 258	—	MUR, MUR) # 17-54-311 / 12
P1 16:59	17:08	10/185	143 Ventura	86	Assign 25187 ref. Aug Subj. det/10-22/03

302-11081-P (Rev 2002)

01 P1 T3

185

	TIME OUT	TIME IN	TOTAL MIN.	LOCATION OF ACTIVITY	TASK CODE	ACTIVITY AND DISPOSITION - INCLUDE TICKET & DOOR OR NAME WHEN NECESSARY
D2	1520			7500 Plumas		Therapeutic visit - #16475 / Manual C
						196 Coronado #3 T
		1736	15200			(Mobile Vendor selling up in 2 blocks of 5000) #73-22474/48
T4	1737	1758	25225	8439 Wakefall	85	85 on 81-83 → NO DAMAGE / Advised / 48
	1758	1824	25250	9011 Escobar	87	B-2 NO S E-man / 1/01
	1824	1855	30280	9011 Escobar	87	10-7 / 108
T5	2040			400 S Americans	86	39 / [REDACTED] / Raul Quiroz [REDACTED]
						2823 Yorker #3, TR [REDACTED] / Cat (FTR) S
		2015	15295			Sig #17-541-312/4
T6	2024			8900 Escobar	87	81/2 x ver no inj. / Roberto (Antonio) TOUON [REDACTED] #771
				104-254358 <sup>81</sup>		600 N. Carolina #74 → Sig 14 to Ysleta POE for Pos. ID → S
				104-254362 <sup>81</sup>		CT (FTR) NO L. MUR. MUR #17-541-313 / Rosa Peralta
CIV						[REDACTED] S.A / 10-98 1x \$1491.50 / 10-15 1x MUR C
		0000	215510			transported by #3 shift / R / 108

**IA04-176**

## **CRIMINAL REPORTS**

**MC**



7A04-176

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E L P A S O P O L I C E D E P A R T M E N T  
C O M P L A I N T R E P O R T

=====

Reported Date: 09/10/04 Time: 20:24 Case: 04-254362 (000) Page: 1  
Code: TWRNT-L MC Crime: LCL/TRAF/WRNT Class: 422101  
Occurrence Date: 09/10/04- Day: FRIDAY - Time: 20:24-  
Status: Closing Officer:  
Location: 8900 ESCOBAR DR., EP RD: 8712

===== INVOLVED PERSONS =====

COMPL.-01: MUNICIPAL COURT  
810 E. OVERLAND AV., EP  
Apt: State: TX Zip: 79901 Phone: 915 546-2980  
Contact: WARRANTS OFFICE

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REFERENCE-01: TOVAR ANTONIO DOB: [REDACTED] Race: H Sex: M  
600 N. CAROLINA DR., EP  
Apt: 74 State: TX Zip: 79915 Phone: 915 591-7289 Adu/Juv: A  
POB: MEXICO Hair: BLK Eye: BRO Hgt: 507 Wgt: 145 Bld: MED  
Business Name: SIG 14  
Phone:

===== INVOLVED VEHICLES =====

REFERENCE-01: License: [REDACTED] State: TX Type: A Expires:  
Year: 90 Make: PLYMOUTH Model: VOYAGER Style: VAN Color: GRY/GRY  
Identifiers: NO INSURANCE/FRAUD.MVR-MVI  
Vin: [REDACTED] Disposition: IMPOUNDED

===== SUSPECTS/ARRESTS =====

ARRESTED-01: PERALTA PERLA DOB: [REDACTED] Race: H Sex: F  
600 N. CAROLINA DR., EP  
Apt: 74 State: TX Zip: 79915 Phone: 915 598-4622 Adu/Juv: A  
POB: LOS ANGELES Hair: BRO Eye: BRO Hgt: 500 Wgt: 160 Bld: MED  
Business Name: UNEMPLOYED  
Phone:

Driver License: ID [REDACTED] Social Security: [REDACTED]  
CII: FBI: Booking Number: [REDACTED]

===== CRIME ANALYSIS ELEMENTS =====

Age: 34 Build: MED

===== SUSPECT VEHICLES =====

ARRESTED-01: License: [REDACTED] State: TX Type: A Expires:  
Year: 90 Make: PLYMOUTH Model: VOYAGER Style: VAN Color: GRY/GRY  
Identifiers: NO INSURANCE/FRAUD.MVR-MVI  
Vin: [REDACTED] Disposition: IMPOUNDED

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S t a n d a r d   T r a i l e r 1   -   F i r s t   P a g e

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7A04-176

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Reported Date: 09/10/04 Time: 20:24 Case: 04-254362 (000) Page: 2  
Code: TWRNT-L MC Crime: LCL/TRAF/WRNT Class: 422101

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NARRATIVE

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☒ EPPD TRAFFIC WARRANTS

☐ S.O. WARRANTS

OFFICER(S)/ID #: GOROEFF #1817

UNIT #: 2S685

PROBABLE CAUSE FOR DETAINMENT/ARREST:

☐ TRAFFIC VIOLATION:

☐ SUBJECT CHECK:

☒ OTHER: Dispatched to an accident - see case #04-254358

ARRESTEE(S) TAKEN FOR PAPERWORK TO: MVRC

☒ VEHICLE IMPOUNDED

☐ VEHICLE RELEASED WITH RELEASE FROM LIABILITY FORM TO:

☒ BOOKED INTO EL PASO COUNTY DETENTION FACILITY

☐ POSTED BOND AND RELEASED

☐ BOND OFFICE CLERK NOTIFIED: ☐ NO ☐ YES NAME:

☒ TAKEN BEFORE A MAGISTRATE FOR: ☐ WARNING ☒ INDIGENCY HEARING

ADDITIONAL INFORMATION: REFERENCE-1 (driver of vehicle) was turned over to the Border Patrol for being illegally in this country.

\*\*\*\*\* WARRANT INFORMATION \*\*\*\*\*

WARRANT#:	DATE ISSUED:	BOND AMOUNT:	OFFENSE:
17564553.1	04-13-04	\$123.00	MVR
17564553.2	04-13-04	\$138.00	NOL
17564553-3	04-13-04	\$288.00	F.T.M.F.R.
17564553-4	04-13-04	\$156.00	MVI
17524322.1	04-20-04	\$113.00	NOL

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TRAILER 2 - Continuation Page

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7104-176

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Reported Date: 09/10/04 Time: 20:24 Case: 04-254362 (000) Page: 3  
Code: TWRNT-L MC Crime: LCL/TRAF/WRNT Class: 422101

17524322.2	04-20-04	\$ 98.00	MVR
17524322.3	04-20-04	\$131.00	MVI
17524322.4	04-20-04	\$263.00	F.T.M.F.R.

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TRAILER 2 - Continuation Page

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7A04-176

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EL PASO POLICE DEPARTMENT

H3 SUPPLEMENT REPORT

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Reported Date: 09/10/04 Time: 20:24 Case: 04-254362 (001) Page: 1

Code: TWRNT-L MC Crime: LCL/TRAF/WRNT Class:

Occurrence Date: 09/10/04- Day: FRIDAY - Time: 20:24-

Status: Closing Officer:

Location: 8900 ESCOBAR DR., EP RD: 8712

===== NARRATIVE =====

ON 09-10-04 AT APPROXIMATELY 2030 HRS OFFICER PONCE #2342 WORKING AS 2S186

TRANSPORTED AR TO MUNICIPAL COURT FOR AN INDIGENT HEARING. AR WAS FOUND

INDIGENT ON THE BELOW LISTED COMMITMENTS AND WERE REFILED. AR WAS BOOKED

ON THE REMAINING WARRANTS.

\*\*\*\*\* MUNICIPAL WARRANT INFORMATION \*\*\*\*\*

WARRANT#:	DATE ISSUED:	BOND AMOUNT:	OFFENSE:
17564553.1	04-13-04	\$113.00	NOL
.2	04-13-04	\$98.00	EXP MVR
.3	04-13-04	\$131.00	EXP MVI
.4	04-13-04	\$263.00	FTMFR

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Standard Trailer1 - First Page

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1A04-176

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EL PASO POLICE DEPARTMENT  
H3 SUPPLEMENT REPORT

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Reported Date: 09/10/04 Time: 20:24 Case: 04-254362 (002) Page: 1  
Code: TWRNT-L MC Crime: LCL/TRAF/WRNT Class:  
Occurrence Date: 09/10/04- Day: FRIDAY - Time: 20:24-  
Status: Closing Officer:  
Location: 8900 ESCOBAR DR., EP RD: 8712

===== NARRATIVE =====

VEHICLE IN THIS CASE, 1990 PLYM [REDACTED], WAS RELEASED BY EL PASO  
TOWING ASSOCIATES ON 10/20/04 TO:

CASH CUSTOMER  
428 N. FREDERICK  
EL PASO TX., 79905

CANCELLATION FORM ON FILE AT ID&R.

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Standard Trailer 1 - First Page

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JA 04176

ACCIDENT REPORT ST-3 (REV. 9/1/01)

MAIL TO: ACCIDENT RECORDS, TEXAS DEPARTMENT OF PUBLIC SAFETY, PO BOX 4087, AUSTIN, TX 78773-0350

COUNTY <u>EL PASO</u>		CITY OR TOWN <u>EL PASO</u>		LOC. NO. <u>04-25458</u>
ACCIDENT OCCURRED <u>EL PASO</u>		INDICATE DISTANCE FROM NEAREST TOWN _____ MILES		DO NOT WRITE IN THIS SPACE
ROAD ON WHICH ACCIDENT OCCURRED <u>8703 Escobar</u>		CONSTR. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
INTERSECTION STREET OR RR X'ING NUMBER <u>250</u>		ROUTE NUMBER OR STREET CODE <u>Valley Crest</u>		DPS NO.
NOT AT INTERSECTION <u>250</u>		SHOW UNIFORM OR NEAREST INTERSECTING NUMBERED HIGHWAY. IF NONE, SHOW NEAREST INTERSECTING STREET OR REFERENCE POINT.		
DATE OF ACCIDENT <u>10 September</u>		DAY OF WEEK <u>Friday</u>		LOC. _____
HOUR <u>8:25</u>		<input type="checkbox"/> A.M. IF EXACTLY NOON <input checked="" type="checkbox"/> P.M. OR MIDNIGHT, SO STATE		CODE _____
				SEVERITY _____
				FAT. REC. _____
				DR. REC. _____

UNIT NO. 1 - MOTOR VEHICLE		VEH IDENT NO. _____		IF BODY STYLE = VAN OR BUS, INDICATE SEATING CAPACITY _____	
YEAR <u>00</u>	COLOR & MAKE <u>BRO Oldsmobile</u>	MODEL NAME <u>Bravada</u>	BODY STYLE <u>SUV</u>	LICENSE PLATE <u>25</u>	PHONE NUMBER <u>(806) 787-5792</u>
DRIVER'S NAME <u>Morris Andra Lee</u>		ADDRESS (STREET, CITY, STATE, ZIP) <u>5815 Timberwall #36 EL PASO TX 79903</u>			
DRIVER'S LICENSE <u>LA</u>		DOB <u>06 07 71</u>	RACE <u>W</u>	SEX <u>F</u>	OCCUPATION <u>Student</u>
SPECIMEN TAKEN (ALCOHOL / DRUG ANALYSIS)		ALCOHOL / DRUG ANALYSIS RESULT _____		PEACE OFFICER, EMS DRIVER, FIRE FIGHTER ON EMERGENCY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
1-BREATH 2-BLOOD 3-OTHER 4-NONE 5-REFUSED <input checked="" type="checkbox"/> 4					
LESSOR <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> <u>Bob Morris SR, 303 Rayburn, Levelland TX 79336</u>		ADDRESS (STREET, CITY, STATE, ZIP)			
LIABILITY <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <u>Southern County Mutual</u>		# <u>AT 269693503</u>		VEHICLE DAMAGE RATING <u>RD-1</u>	
INSURANCE COMPANY NAME		POLICY NUMBER			

UNIT NO. 2 TOWED <input type="checkbox"/> PEDESTRIAN <input type="checkbox"/> OTHER <input type="checkbox"/>		VEH IDENT NO. _____		IF BODY STYLE = VAN OR BUS, INDICATE SEATING CAPACITY <u>7</u>	
YEAR <u>90</u>	COLOR & MAKE <u>GRY Plymouth</u>	MODEL NAME <u>Voyager</u>	BODY STYLE <u>Van</u>	LICENSE PLATE <u>05 T</u>	PHONE NUMBER <u>(915) 591-7289</u>
DRIVER'S NAME <u>Tovar Roberto</u>		ADDRESS (STREET, CITY, STATE, ZIP) <u>600 N. Carolina #74 EL PASO TX 79915</u>			
DRIVER'S LICENSE <u>none</u>		DOB <u>06 07 71</u>	RACE <u>W</u>	SEX <u>M</u>	OCCUPATION <u>Unemployed</u>
SPECIMEN TAKEN (ALCOHOL / DRUG ANALYSIS)		ALCOHOL / DRUG ANALYSIS RESULT _____		PEACE OFFICER, EMS DRIVER, FIRE FIGHTER ON EMERGENCY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
1-BREATH 2-BLOOD 3-OTHER 4-NONE 5-REFUSED <input checked="" type="checkbox"/> 4					
LESSOR <input type="checkbox"/> OWNER <input checked="" type="checkbox"/> <u>Barba Peralta, 600 N. Carolina #74 EL PASO TX 79915</u>		ADDRESS (STREET, CITY, STATE, ZIP)			
LIABILITY <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		#		VEHICLE DAMAGE RATING <u>LD-1</u>	
INSURANCE COMPANY NAME		POLICY NUMBER			

DAMAGE TO PROPERTY OTHER THAN VEHICLES					
OBJECT _____	NAME AND ADDRESS (STREET, CITY, STATE, ZIP) OF OWNER _____			FEET FROM CURB _____	DAMAGE ESTIMATE _____
LIGHT CONDITION <u>4</u>	WEATHER <u>1</u>	SURFACE CONDITION <u>1</u>	TYPE ROAD SURFACE <u>1</u>	DESCRIBE ROAD CONDITIONS (INVESTIGATOR'S OPINION)	
1-DAYLIGHT 2-DAWN 3-DARK-NOT LIGHTED 4-DARK-LIGHTED 5-DUSK	1-CLEAR / CLOUDY 2-RAINING 3-SNOWING 4-FOG 5-BLOWING DUST	6-SMOKE 7-SLEETING 8-HIGH WINDS 9-OTHER	1-DRY 2-WET 3-MUDDY 4-SNOWY / ICY 5-OTHER	1-BLACKTOP 2-CONCRETE 3-GRAVEL 4-SHELL 5-DIRT 6-OTHER	

IN YOUR OPINION, DID THIS ACCIDENT RESULT IN AT LEAST \$1,000.00 DAMAGE TO ANY ONE PERSON'S PROPERTY? ☒ YES ☐ NO

CHARGES FILED		CITATION NUMBER <u>17-541-33</u>	
NAME <u>Roberto Tovar</u>	CHARGE <u>FIMER, NOL, MVR, DUI</u>		
NAME _____	CHARGE _____	CITATION NUMBER _____	
TIME NOTIFIED OF ACCIDENT <u>10 September 04</u>	8:26 P.M. HOW <u>Dispatch</u>	TIME ARRIVED AT SCENE OF ACCIDENT <u>10 September 04</u> 8:33 P.M.	
TYPED OR PRINTED NAME OF INVESTIGATOR <u>H. GORDEOFF</u>		DATE REPORT MADE <u>09/10/04</u> IS REPORT COMPLETE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
SIGNATURE OF INVESTIGATOR <u>[Signature]</u>		ID NO. <u>1817</u>	DEPARTMENT <u>EL PASO PD</u> DIST. / AREA <u>87</u>



SOLICITATION (SOL)	EJECTED	CODE FOR TYPE RESTRAINT USED	AIRBAG CODE	HELMET USE	CODE FOR INJURY SEVERITY	ALCOHOL / DRUG ANALYSIS (COMPLETE IF CASUALTY NOT IN MOTOR VEHICLE)
INDICATES PERSON'S DESIRE TO RECEIVE CONTACT FROM PERSONS SEEKING PROFESSIONAL EMPLOYMENT AS/FOR AN ATTORNEY, CHIROPRACTOR, PHYSICIAN, SURGEON, PRIVATE INVESTIGATOR OR ANY OTHER PERSON REGISTERED OR LICENSED BY A HEALTH CARE REGULATORY AGENCY Y - O.K. TO SOLICIT N - NO SOLICITATION	A - NOT APPLICABLE Y - YES N - NO P - PARTIALLY U - UNKNOWN	A - SEATBELT & SHOULDER STRAP Y - SEATBELT & NO SHOULDER STRAP N - CHILD RESTRAINT E - SHOULDER STRAP ONLY N - NONE	Y - DEPLOYED N - NO DEPLOYMENT U - UNKNOWN IF DEPLOYED	1 - WORKMAN DAMAGED 2 - WORKMAN NOT DAMAGED 3 - WORKMAN INJURED IF DAMAGED 4 - NOT WORKMAN 5 - UNKNOWN IF WORKMAN	X - KILLED A - INCAPACITATING INJURY B - NON INCAPACITATING C - POSSIBLE INJURY N - NOT INJURED	1 - BREATH 2 - BLOOD 3 - OTHER 4 - NONE 5 - REFUSED

DRIVER'S OCCUPANT'S POSITION	COMPLETE ALL DATA ON ALL OCCUPANTS' NAMES, POSITIONS, RESTRAINTS USED, ETC., HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED. NAME (LAST NAME FIRST)	ADDRESS (STREET, CITY, STATE, ZIP)	COL	ERECTED	TYPE RESTRAINT USED	AIRBAG	HELMET	AGE	SEX	INJURY CODE
DRIVER	SEE FRONT		N	N	A	N	4	19	F	N
FR	Renteria, Natalie		N	N	A	N	4	19	F	N
BR	Aguiar, Diana		N	N	A	N	4	19	F	N
BRID	Villarreal, Desiree		N	N	B	N	4	19	F	N
BL	White, Tanika		N	N	A	N	4	22	F	N

OCCUPANTS' POSITION		COMPLETE ALL DATA ON ALL OCCUPANTS' NAMES, POSITIONS, RESTRAINTS USED, ETC., HOWEVER, IT IS NOT NECESSARY TO SHOW ADDRESSES UNLESS KILLED OR INJURED.	SOL	EJECTED	TYPE RESTRNT USED	AMBAG	HELMET	AGE	SEX	INJURY CODE
NAME (LAST NAME FIRST)		ADDRESS (STREET, CITY, STATE, ZIP)								
DRIVER	SEE FRONT		N	N	A	N	4	33	M	N
FR	Paralta, Parla		N	N	A	N	4	34	F	N
DMIR	Tovanc, Tina		N	N	B	N	4	10	F	N

DISPOSITION OF KILLED AND INJURED			IF AMBULANCE USED, SHOW		
ITEM NUMBERS	TAKEN TO	BY	TIME NOTIFIED	TIME ARRIVED AT SCENE	NO. ATTENDANTS INC. DRIVER

INVESTIGATOR'S NARRATIVE OPINION OF WHAT HAPPENED (ATTACH ADDITIONAL SHEETS IF NECESSARY)	DIAGRAM <input type="checkbox"/> ONE WAY <input checked="" type="checkbox"/> TWO WAY <input type="checkbox"/> DIVIDED
8900 Escobedo is a 2-lane, 2-way F.W. Unit 2 was traveling East behind Unit 1. Unit 1 stopped, signaling to make a left turn into a parking lot. Just as Unit 2 passed Unit 1 on the right, Driver of Unit 1 saw a parking space in the parking lot to the right. When Unit 1 started turning right, Unit 1 sideswiped Unit 2.	
No reported injuries	
No independent witnesses	

PUBLIC RECORDS INFORMATION ALL CASE ELEMENTS SUBJECT  
TO NONDISCLOSURE HAVE BEEN REMOVED IN ACCORDANCE  
WITH THE TEXAS OPEN RECORDS ACT (TX GOVT CODE CH 552)  
DATE: BY: MR C1125 TO:

DEBBIE NATHAN

**IA04-176**

## **Auxiliary File**

**MC**

**EL PASO POLICE DEPARTMENT**  
**INTERNAL AFFAIRS DIVISION**  
**FIRST NOTICE FORM**

**AFFECTED EMPLOYEE(S): Officer Martina Goroeoff (no. 1817)**  
**FROM: Professional Responsibility Unit, Internal Affairs Division**  
**INVESTIGATOR: Det. Mario Chaides (no. 1739)**  
**SUBJECT: FIRST NOTICE TO DIVISION & EMPLOYEE REF: LA04-176**

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This is to notify you that the Internal Affairs Division has initiated an investigation on allegations noted in the attached Preliminary Information Document. Employees involved in this case are instructed not to contact anyone associated with this case. The Internal Affairs Division will conduct the investigation.

Copies of this First Notice and Preliminary Information Document have been issued to **Officer Martina Goroeoff (no. 1817).** MC

Commissioned employees are reminded that they may voluntarily and at any time during the course of their employment with the El Paso Police Department attend the Stress Management Program as referred to in the Articles of Agreement between the City of El Paso, TX, and the El Paso Municipal Police Officer Association MC

**Lieutenant David Norman (no. 626)**  
**Internal Affairs Commander**

Affected Employee: *Martina Goroeoff*

Witness: *Det. Mario Chaides*

**Accused Officer Martina Goroeoff (no. 1817)**

**MC**



LA04-176

**EL PASO POLICE DEPARTMENT  
INTERNAL AFFAIRS DIVISION  
ADMINISTRATIVE FORM**

Case No: LA04-176

Date: 12/20/04

Employee: Ofc. Martina Goroeoff (no. 1817) Time: 1300 hrs

Interviewer: Det. Mario Chaides (no. 1739)

I have been advised that I will be questioned as part of an Official Administrative Investigation. I will be asked questions specifically directed and narrowly related to the performance of my official duties or fitness for office. I am entitled to all the rights and privileges guaranteed by the laws and the Constitution of this state and the Constitution of the United States, including the right not to be compelled to incriminate myself, in criminal matters. I also have certain rights granted to me by the contract between the City of El Paso and the EPMPOA, and the Civil Service Rules and Regulations.

My oath of office and the provisions of our Department's Procedures Manual require this personal and professional response to this investigation. I have been advised to fully and honestly assist in this investigation. My failure to do so may subject me to discipline for engaging in giving false and/or misleading statements during an Administrative Investigation. If I do answer, neither my statements, nor any information or evidence which is gained by reason of such statements, can be used against me in any subsequent criminal proceedings. However, these statements may be used against me in relation to subsequent Departmental charges.

I have been advised of my rights and do fully understand them.

Officer's Initials M.G.

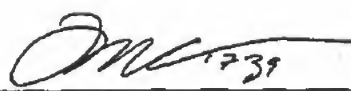
**CONFIDENTIALITY ORDER**

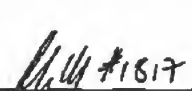
I have been given a Direct Order by Lt. David Norman of the Internal Affairs Division to not discuss or disclose, in any manner, the nature or details of this investigation with Anyone other than Internal Affairs Investigators, or my attorney. This Order also means that I am not to contact potential witnesses or complainants. A violation of this Order will result in Disciplinary Action.

Officer's Initials M.G.

I Have received First Notice and a copy of the Preliminary Information Document reference case no. LA04-176.

Officer's Initials M.G.

  
Witness Signature

 #1817  
Officer's Signature

MC

V6

Performance Evaluation Report  
General Services Employee Group  
City of El Paso, Texas

<b>Employee Name:</b> Goroeoff, Martina	<b>Department Name:</b> POL-MV RGCD-C	<b>Evaluation Type:</b>  Scheduled																																																																																																																																																																																																																																																																																																																								
<b>Employee ID:</b> 1817 - 006688 <b>Class Title:</b> Police Officer	<b>Employee SSN:</b> [REDACTED] <b>Reporting Period:</b> 10/12/03 - 10/11/04	<b>Section B: Record job strengths &amp; Superior performance incidents</b> (Explain checks in columns I & II).  See Addendum																																																																																																																																																																																																																																																																																																																								
<b>Section A: Factor Check List</b> (Immediate Supervisor must check each factor in appropriate column: I - Exceptional   II - Exceeds Perf. Stds.   III - Competent IV - Meets Min. Stds.   V - Marginal   VI - Unsatisfactory VII - Does Not Apply <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>I</th><th>II</th><th>III</th><th>IV</th><th>V</th><th>VI</th><th>VII</th><th></th></tr> </thead> <tbody> <tr><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>1. Observance of Work Hours</td></tr> <tr><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input checked="" type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td><input type="checkbox"/></td><td>2. 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<b>Section D: Record specific performance deficiencies or job behavior</b> requiring improvement or correction (Explain checks in Columns IV, V, VI).  See Addendum		<b>Section E: Record specific goals or improvement programs to be</b> undertaken during next evaluation period.  See Addendum																																																																																																																																																																																																																																																																																																																								
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I certify that this represents my best judgment. Rater's ID# 1322 <div style="display: flex; justify-content: space-between;"> <div>           Rater's Signature Ray Menchaca #1322         </div> <div>           Title Sergeant         </div> <div>           Date 10/15/04         </div> </div>																																																																																																																																																																																																																																																																																																																										
<div style="display: flex; justify-content: space-between;"> <div>           Reviewer's Signature Gabriel Sama #477         </div> <div>           Title Lieutenant         </div> <div>           Date 10-15-04         </div> </div>																																																																																																																																																																																																																																																																																																																										
Employee: I certify that this report has been discussed with me. I understand that my signature does NOT indicate agreement. <div style="display: flex; justify-content: space-between;"> <div>           (Employee Signature)         </div> <div>           Employee ID # 1817         </div> <div>           Date 10/15/04         </div> </div>																																																																																																																																																																																																																																																																																																																										

Use Blank spaces in Section A for individualized or additional performance traits.

Checks in Columns (I & II) must be explained in Section B.

Checks in Columns (IV, V, & VI) must be explained in Section D.

Sections C & E should be completed for all employees.

Use Additional pages if more space is needed for sections B,C,D & E. and indicate in that section by stating see attached, etc.



PERFORMANCE EVALUATION REPORT  
CITY OF EL PASO, TEXAS

ADDENDUM

<u>EMPLOYEE NAME:</u> Goroeoff, Martina #1817 SSN: [REDACTED]	<u>DEPARTMENT NAME:</u> Mission Valley Region
<u>CLASS TITLE:</u> POLICE OFFICER	<u>REPORTING PERIOD:</u> 10/12/03 – 10/11/04

**SECTION B: Record job strengths & superior performance incidents**

On 9/19/04, Officer Goroeoff and another officer responded to an aggravated shoplifter. The officers arrived to learn the suspect had fled in a vehicle. Officer Goroeoff a vehicle description and through careful investigation were able to locate and arrest the defendant without incident.

Officer Goroeoff has consistently been given exemplary ratings during the monthly inspection of the officer's uniform and equipment.

Officer Goroeoff has consistently lead the shift in statistics in traffic enforcement. Her volume of work consistently exceeds performance ratings and is routinely called upon to assist her peers to provide traffic expertise.

**SECTION C: Previous Goals**

Officer Goroeoff has met the goals of improving her knowledge in the area of traffic. She has met those goals through advanced department training in traffic investigation.

**SECTION D: Deficiencies**

**2. Attendance:**

On 2/16/04, Officer Goroeoff was charged with an unexcused "Failure To Appear" that had her scheduled for fifty-five cases.

**3. Observance of Rules & Safety Practices:**

On 9/26/04, Sgt. Prieto initiated a supervisor' log to document Officer Goroeoff's failure to comply with department policy in the issue of a citation when the investigation revealed a violation.

**9. Accuracy, Neatness & Thoroughness of Work:**

On 9/19/04, Officer Goroeoff was counseled on her failure to thoroughly investigate a vehicle collision by not interviewing a witness at the scene.

**11. Effectiveness Under Stress:**

On 3/19/04, Officer Goroeoff was charged with making comments that were interpreted as violating department policy. Officer Goroeoff received mandatory stress management and received department disciplinary action.

**SECTION E: Goals/ Improvement Programs**

Officer Goroeoff is encouraged to work in conjunction with the department's Community Policing standards.

RATER'S NAME & ID#	SIGNATURE	TITLE	DATE
Ray Menchaca #1322		Sergeant	
REVIEWER'S NAME & ID#	SIGNATURE	TITLE	DATE
Gabriel Serna #477	<i>[Signature]</i> 477	Lieutenant	10-15-04
EMPLOYEE'S NAME & ID#	SIGNATURE	TITLE	DATE
Martina Goroeoff #1817	<i>[Signature]</i> #1817	Patrol Officer	10/15/04



**Performance Evaluation Report  
General Services Employee Group  
City of El Paso, Texas**

<b>Employee Name:</b> GOROEOFF, Martina #1817	<b>Department Name:</b> Police
<b>Employee ID:</b> 006688	<b>Employee SSN:</b> [REDACTED]
<b>Class Title:</b> Police Officer	<b>Reporting Period:</b> 10/11/02 - 10/11/03

<b>Evaluation Type:</b> <b>Scheduled</b>
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<b>Section B: Record job strengths &amp; Superior performance incidents</b> (Explain checks in columns 5 & 4).
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SEE ADDENDUM

**Section A: Factor Check List** (Immediate Supervisor must check each factor in appropriate column:

5 - Exceptional    4 - Exceeds Perf. Stds.    3 - Competent  
2 - Meets Min. Stds.    1 - Marginal    0 - Unsatisfactory  
N/A - Does Not Apply

5	4	3	2	1	0	N/A	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Observance of Work Hours
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Attendance
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Observance of Rules & Safety Practices
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Economy of Time & Materials
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Ability to Plan & Schedule Work
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Ability to Make Sound Decisions & Work Judgment
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Accepts Responsibility
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Accepts Directions and/or Constructive Criticism

**QUALITY AND QUANTITY OF WORK**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Accuracy, Neatness & Thoroughness of Work
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	10. Volume of Acceptable Work
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	11. Effectiveness Under Stress

**PERSONAL RELATIONS**

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	12. Grooming and Dress
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13. Cooperation with Fellow Employees
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	14. Meeting and Dealing with the Public

**ADAPTABILITY**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15. Performance in New Situations
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16. Work Knowledge and Job Skill Level
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17. Initiative and Problem Solving

**PERFORMANCE TRAITS**

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	18. Appearance of Work/Station
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	19. Written Expression
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	20. Oral Expression
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	21. Driving Skills
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	22. CP Knowledge
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	23. Quality of Service
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	24. Click Here to Enter

**SUPERVISORY FACTORS**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1. Organizing and Planning
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2. Scheduling and Coordinating
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3. Training & Instructing
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4. Evaluating Subordinates
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5. Leadership
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6. Utilization of Personnel and Materials
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7. Supervisory Control
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8. Enforcement of Safety Rules & Regulations
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	9. Click Here to Enter

Use Blank spaces in Section A for individualized or additional performance traits.

Checks in Columns (5 & 4) must be explained in Section B.  
Checks in Columns (2, 1, & 0) must be explained in Section D.  
Sections C & E should be completed for all employees.

Use Additional pages if more space is needed for sections B,C,D & E. and indicate in that section by stating see attached, etc.

**Section C: Record progress achieved in attaining previously set goals for improved work performance for personal or job qualifications.**

SEE ADDENDUM

**Section D: Record specific performance deficiencies or job behavior requiring improvement or correction** (Explain checks in Columns 2, 1, 0).

SEE ADDENDUM

**Section E: Record specific goals or improvement programs to be undertaken during next evaluation period.**

SEE ADDENDUM

**Summary Evaluation Overall Performance Rating:**

**3 - COMPETENT**

**Probationary Employees Only:**

☐ I DO ☐ I DO NOT recommend this employee be granted permanent status.

I certify that this represents my best judgment. Rater's ID#

*James V. Leekhart Jr.*      10/09/03  
Rater's Signature      Title      Date  
James V. Leekhart Jr. #620      Sergeant

*Lem Tong*      10/14/03  
Receiver's Signature      Title      Date  
Lem Tong      Lieutenant

Employee: I certify that this report has been discussed with me. I understand that my signature does NOT indicate agreement.

*[Signature]*      10/15/03      Date  
(Employee Signature)      Employee ID #1817

**RECEIVED**

OCT 17 2003

OFFICE OF  
THE CHIEF OF POLICE

PERFORMANCE EVALUATION REPORT  
CITY OF EL PASO, TEXAS

ADDENDUM

<u>EMPLOYEE NAME:</u> GOROEFF, Martina	<u>DEPARTMENT NAME:</u> POLICE
<u>SSN:</u> [REDACTED]	
<u>CLASS TITLE:</u> POLICE OFFICER	<u>REPORTING PERIOD:</u> 10/11/02 - 10/11/03

**SECTION B: 1,2,7,10,12,17**

Item #1) Officer Goroeoff has not been late to work one time on an unexcused basis. If for some reason she was going to come in late she called well in advance to make her supervisors aware of the problem that was causing her to be late. This applies to schools she may be scheduled to attend or any meetings she is scheduled for.

Item #2) Officer Goroeoff has not called in sick one time during this rating period, and only took time off for special occasions. She could always be counted on to be at work and never missed any type of movement she had been sent to. If she was given a special assignment she was always there on time and ready to conduct any business that was required.

Item #7) This officer is the assigned traffic unit for the shift and any time there is an assignment or a complaint that may come in regards to traffic, she takes on these assignments whole heartedly. She completes them in a timely manner, and takes all actions necessary to see the complaint does not arise again.

Item #10) Officer Goroeoff is primarily the traffic unit for the shift, but when it becomes necessary she will also help in handling regular patrol calls for service. She is continuously at the top of the list when it comes to arrests, citations issued, and calls handled. She always has the highest self initiated calls for the shift, and usually these calls result in arrest or citations for Failure to ID, Driving With License Suspended, Forgery, Warrants, Recovered stolen eighteen wheelers, located large amounts of drugs, etc. She has received a Divisional Commendation for one of these calls, on 05/06/03. For further reference see below listed case numbers: 03-097-250, 03-098-129, 03-116-201, 03-123-269, 03-126-341, 03-129-349, 03-141-263, 03-142-233, 03-178-232, 03-185-222, 03-186-165, 03-244-222, 03-175-187.

Item #12) This officer is always ready and prepared for inspections, and has not had to be told once during this rating period to correct anything. Even during surprise inspections she always has her leather gear shined to a high gloss, and her footwear is always highly polished. Her uniform is always clean and neatly pressed. She never has to be reminded to keep her hair trimmed and to her collar. Even though she is constantly practicing with her handgun, it is always clean before she reports to duty. She takes great pride in her appearance and the image she projects to the public.

Item #17) Officer Goroeoff, as the traffic unit is very seldom under direct supervision. With this in mind, she is frequently given traffic complaints to check on, follow up on, and to solve to the point where they are no longer a problem. She has always handled these projects to her fullest capacity, and has never failed to accomplish the tasks set for her, even going beyond what most officers would do.

**SECTION C: Previous Goals**



Item #1) Officer Goroeoff has continuously throughout this rating period attended as many schools, classes, and seminars as she could to better herself in the police field, as well as in the area of traffic.

Item #2) This officer has had a problem in the past with dealing with the public and in turn got many citizens complaints against her. In this rating period she has worked very hard at deleting these complaints and being a better public servant. She has done a tremendous job along these lines. The few complaints she has received have been unfounded.

Item #3) This officer has reduced her missed courts by a large amount during this rating period. The ones she did miss were excused and cleared by a supervisor, except for one time, which is a marked improvement from the previous rating period.

#### **SECTION D: Deficiencies 8, 13**

Item #8) Officer Goroeoff fell short during this rating period in accepting direction/constructive criticism. She tends to take instruction and correction in a negative manner. It seems to upset her and she becomes angry at fellow officers, and supervisors when she is told things that she does not agree with. Instead of making these items into a learning process she takes it personal, loses her temper and then says things that should not be said. Examples of this are as follows:

1. On 06/19/03, 1300 hours Officer Goroeoff was spoken to about turning in her log sheet prior to leaving for the day, so if it is needed it would be here. She became very upset to the point she was belligerent and insubordinate. She had to be talked to and advised not to do this again.
2. On 06/20/03 during the shift meeting all officers were told to go into the field right away or at least go 10-8 available in case they were needed. After the shift meeting Officer Goroeoff was seen in the report room doing a report, and was not 10-8 or available. When asked by the supervisor if she was 10-8 she became belligerent, rude and, and confrontational in the way she said no. This was done in front of other subordinates. She was again talked to about being rude, insubordinate and disobeying orders. When she stated she understood what was being said to her she was advised that the next time it happened she would be written up.

Item #13) Officer Goroeoff needs to become a part of the policing team. She needs to strive to get along better with the other employees she works with and around, to include the civilian personnel that work with her on a daily basis. She has fallen short of this by the below listed examples:

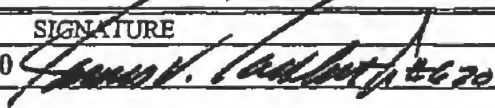

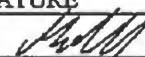
1. On 06/19/03, 1230 hours officer Goroeorff was overheard by a supervisor being rude to a civilian employee when she was asked by this person if she could help a person in the lobby whom, she had made a report for, where Officer Goroeoff had put the wrong name on the accident report. She had to be taken to the side and told to make the supplement for the person and not to be rude to the employee.
2. On 09/17/03, 1210 hours, this sergeant was approached by the civilian desk personnel who advised that he had assigned Officer Goroeoff the Road Rage Car. He did this because she was working as the Traffic Unit for the shift. He then advised that Officer Goroeoff became very irate with him and went into the equipment room and changed her vehicle to the one she wanted that was not on the rotation. She then told him in a very angry voice that she was not going to drive that car, but she did not gripe the Road Rage Car, but just did not want to use it. This sergeant had to make



her change the vehicle back, and spoke to her about not being rude to the other employees.

**SECTION E: Goals / Improvement Programs .**

1. Officer Goroeoff should strive to improve her knowledge in the area she has chosen to specialize in which is traffic. In doing this she should try to become more involved with her fellow officers and share this knowledge with them. She possesses the attributes needed to be a great asset to the department, and to her co-workers, if she would strive to be more of a team person.
2. Officer Goroeoff should strive to become more familiar with the rules and regulations, and the procedures of the department, and knowing more of what is expected of her so she has less problems in her daily work.

RATER'S NAME & ID#	SIGNATURE	TITLE	DATE
James V. Lockhart Jr. 620		Sergeant	10/09/03
REVIEWER'S NAME & ID#	SIGNATURE	TITLE	DATE
Lem Tong #894		Lieutenant	10/14/03
EMPLOYEE'S NAME & ID#	SIGNATURE	TITLE	DATE
Martha Goroeoff #817		Officer	10/15/03

JAP4-176

Juan Chavez

Birth R S Hr Eye Hgt Wgt Drivers License St S.S.N.

WM BRO BRO 5-11 200

1> , MV

State: TX Zip: 79938 Phone: Birthplace: EL PASO

Busi: EL PASO TOWING ASSOC Addr: 428 FREDERICK

(915)544-8697 EL PASO, TX 79905

AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA CASES

AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA

Case Num Date In Rep Of Name Offense #1 description Natcod  
2> 04-255292 09/11/04 WI 002007 LOZANO R PC 38.15-P INTFR/PBL/D 261117

License:

**RICHARD D. WILES**  
Chief of Police



911 N. Raynor  
El Paso, Texas 79903  
(915) 564-7000

April 01, 2005

Peria Peralta  
600 N. Carolina  
El Paso, TX 79915

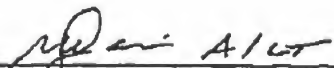
RE: Administrative Investigation: #IA04-176

Dear Ms. Peralta:

Your complaint of misconduct against our employee(s) has been thoroughly investigated. We have contacted all of the listed witnesses and reviewed the available evidence. The Chief's Office has reviewed this case and the appropriate action has been taken.

Thank you for bringing this matter to our attention. We look to the community for partnership in our continuing efforts to improve the professionalism of the El Paso Police Department. If you should have any further questions or concerns you may call an Internal Affairs supervisor at 544-7633

Sincerely,

  
\_\_\_\_\_  
Act. Lt. Marco Spalloni  
Internal Affairs Division

**DEDICATED TO SERVE**



## EPPD - I.A.D. CONTRACT RIGHT FORM

CASE NO: IA04-176

DATE: 12/20/04

OFFICER: Martina Goroeoff (no. 1817)

TIME: 1300 hrs

INTERVIEWER: Det. Mario Chaides (no.1739)

As per the Contract between the Association and the City of El Paso, you are being asked to complete the following statement:

I do \_\_\_ or do not   X   request that a tape recording be made of this interview.

I do \_\_\_ or do not   X   want a copy of the interview and I am aware that I must provide a blank tape, if I do desire a copy.

WITNESS SIGNATURE

 1739

OFFICER SIGNATURE

 1817

MC

**IA04-176**

**MISCELLANEOUS**

**MC**



Mission Valley Regional Command  
Carlos Leon / Chief of Police

**El Paso Police Department  
Mission Valley Regional Command  
Inter-Office Memorandum**

**To :** A/Comdr. Richard Pantoja  
**From :** Lieutenant Gabriel Serna #477  
**Re :** Officer Martina Goroeoff  
**Date :** 9/20/04

I am recommending that this case be forwarded to Internal Affairs.

Officer M. Goroeoff has been involved in many situations where she is filed on for being rude and overstepping her authority as a Police Officer. I believe we have reached the point where Internal Affairs should review her pattern of complaints and if warranted, forward a recommendation up the chain to determine what is in the best interest of the Police Department. I would further recommend that she be referred to mandatory [REDACTED] if she is not already attending, and the [REDACTED]

*Concur w/ recommendations  
forward to D.C. Gorman*

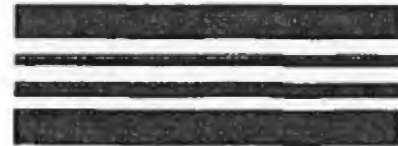
*E  
9-21-04*





Texas Department of Transportation

TITLE APPLICATION RECEIPT



7A04-176/MC

COUNTY: EL PASO  
STICKER NO: [REDACTED]  
PLATE NO: [REDACTED]  
DOCUMENT NO: 07120738109163406

TAC NAME: VICTOR A. FLORES  
DATE: 05/04/2004  
TIME: 04:34PM  
EMPLOYEE ID: SGEXPR9  
EFFECTIVE DATE: 05/04/2004  
EXPIRATION DATE: 4/2005  
TRANSACTION ID: 07120738109163406

OWNER NAME AND ADDRESS  
PERLA PERALTA  
600 N CAROLINA APT 74  
EL PASO, TX 79915

REGISTRATION CLASS: PASSENGER-LESS/EQL 6000  
PLATE TYPE: PASSENGER PLT  
STICKER TYPE: WS

VEHICLE IDENTIFICATION NO: [REDACTED] VEHICLE CLASSIFICATION: PASS-TRK  
YR/MAKE: 1990/PLYM MODEL: VOF BODY STYLE: LL UNIT NO:  
EMPTY WT: 3100 CARRYING CAPACITY: 0 GROSS WT: 3100 TONNAGE: 0.50 TRAILER TYPE:  
BODY VEHICLE IDENTIFICATION NO: TRAVEL TRLR LNG/WDTH: 0  
PREV OWNER NAME: JOSE MANUEL MARTINEZ PREV CITY/STATE: EL PASO, TX

INVENTORY ITEM(S) YR  
WINDSHIELD STICKER 2005  
PASSENGER PLT

VEHICLE RECORD NOTATIONS  
RELEASE OF PERSONAL INFO RESTRICTED

FEES ASSESSED	
TITLE APPLICATION FEE	\$ 13.00
DELINQUENT TRANSFER PENALTY	\$ 10.00
SALES TAX FEE	\$ 10.00
TRANSFER	\$ 2.50
WINDSHIELD STICKER	\$ 40.50
REG FEE-DPS	\$ 1.00
REFLECTORIZATION FEE	\$ 0.30
CNTY ROAD BRIDGE ADD-ON FEE	\$ 10.00
AUTOMATION FEE (LARGE CNTY)	\$ 1.00
TOTAL	\$ 88.30

ODOMETER READING: EXEMPT BRAND:  
OWNERSHIP EVIDENCE: TEXAS TITLE  
1ST LIEN

METHOD OF PAYMENT AND PAYMENT AMOUNT:  
CASH \$ 88.30  
TOTAL AMOUNT PAID \$ 88.30

2ND LIEN

3RD LIEN

SALES TAX CATEGORY: GIFT

Sales Tax Date: 05/08/2003	
Sales Price	\$ 0.00
Less Trade In Allowance	\$ 0.00
Taxable Amount	\$ 0.00
Sales Tax Paid	\$ 10.00
Less Other State Tax Paid	\$ 0.00
Tax Penalty	\$ 0.00
TOTAL TAX PAID	\$ 10.00

Batch No: 2073810901 Batch Count: 44

THIS RECEIPT TO BE CARRIED IN ALL COMMERCIAL VEHICLES.

Current law requires an additional \$1.00 fee (already included) in counties with 50,000 or more vehicles.  
THIS RECEIPT IS YOUR PROOF OF APPLICATION FOR CERTIFICATE OF TITLE AND REGISTRATION.



**Texas Department of Transportation**  
**TITLE APPLICATION RECEIPT**

704772/MC

COUNTY: EL PASO  
 STICKER NO: [REDACTED]  
 PLATE NO: 99HMX  
 DOCUMENT NO: 07120738109163406

TAC NAME: VICTOR A. BELORES  
 DATE: 05/04/2004  
 TIME: 04:34PM  
 EMPLOYEE ID: SGEXPR9

EFFECTIVE DATE: 05/04/2004  
 EXPIRATION DATE: 4/2005  
 TRANSACTION ID: 07120738109163406

OWNER NAME AND ADDRESS  
 PERLA PERALTA  
 600 N CAROLINA APT 74  
 EL PASO, TX 79915

REGISTRATION CLASS: PASSENGER-LESS/EQL 6000  
 PLATE TYPE: PASSENGER FLT  
 STICKER TYPE: WS

VEHICLE IDENTIFICATION NO: [REDACTED]  
 YR/MAKE: 1990/PLYM MODEL: VOF BODY STYLE: LL  
 EMPTY WT: 3100 CARRYING CAPACITY: 0  
 BODY VEHICLE IDENTIFICATION NO:  
 PREV OWNER NAME: JOSE MANUEL MARTINEZ

VEHICLE CLASSIFICATION: PASS-TRK  
 UNIT NO:  
 GROSS WT: 3100 TONNAGE: 0.50 TRAILER TYPE:  
 TRAVEL TRLR LNG/WDTH: 0  
 PREV CITY/STATE: EL PASO, TX

INVENTORY ITEM(S) YR  
 WINDSHIELD STICKER 2005  
 PASSENGER FLT

VEHICLE RECORD NOTATIONS  
 RELEASE OF PERSONAL INFO RESTRICTED

<b>FEEES ASSESSED</b>	
TITLE APPLICATION FEE	\$ 13.00
DELINQUENT TRANSFER PENALTY	\$ 10.00
SALES TAX FEE	\$ 10.00
TRANSFER	\$ 2.50
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COUNTY ROAD BRIDGE ADD-ON FEE	\$ 10.00
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<b>TOTAL</b>	<b>\$ 88.30</b>

ODOMETER READING: EXEMPT BRAND:  
 OWNERSHIP EVIDENCE: TEXAS TITLE  
 1ST LIEN

METHOD OF PAYMENT AND PAYMENT AMOUNT:  
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2ND LIEN

3RD LIEN

SALES TAX CATEGORY: GIFT

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<b>TOTAL TAX PAID</b>	<b>\$ 10.00</b>

Batch No: 2073810901 Batch Count: 44

THIS RECEIPT TO BE CARRIED IN ALL COMMERCIAL VEHICLES.

Current law requires an additional \$1.00 fee (already included) in counties with 50,000 or more vehicles.  
 THIS RECEIPT IS YOUR PROOF OF APPLICATION FOR CERTIFICATE OF TITLE AND REGISTRATION.

ORIGINAL  
 VTR-500-RTS (REV. 3/2001) DHT157490



JOE WARDY  
MAYOR

JOYCE WILSON  
CITY MANAGER

RICHARD D. WILES  
CHIEF OF POLICE



CITY COUNCIL  
SUSAN AUSTIN, DISTRICT 1  
ROBERT A. CUSHING, JR., DISTRICT 2  
ALEXANDRO LOZANO, DISTRICT 3  
JOHN F. COOK, DISTRICT 4  
PAUL J. ESCOBAR, DISTRICT 6  
VIVIAN ROJAS, DISTRICT 7  
ANTHONY W. COBOS, DISTRICT 8

## POLICE DEPARTMENT

12/07/2004

Mr. Robert Tovar  
600 N. Carolina Apt. 74  
El Paso, TX 79907

RE: **El Paso Police Department Internal Affairs Investigation IA04-176**

Mr. Robert Tovar,

The Internal Affairs Division is responsible for investigating complaints against members of the El Paso Police Department. At present, this office is conducting an investigation into an officer's possible misconduct.

It would be greatly appreciated if you would contact, **Detective Mario Chaides (no. 1739)** at (915) 544-7633, for an appointment. Our office hours are Monday through Friday, 8:00 A.M. to 4:00 P.M.

Your prompt reply to this letter will be greatly appreciated. If no reply is received by **Monday (12/13/2004)**, this office will assume that your assistance in this investigation is not forthcoming.

Sincerely,

Lt. David Norman  
Commander  
Internal Affairs Division  
El Paso Police Department

MC



911 N. RAYNOR • EL PASO, TX 79903 • 915.564.7000 • WWW.EPPD.ORG



JOE WARDY  
MAYOR

JOYCE WILSON  
CITY MANAGER

RICHARD D. WILES  
CHIEF OF POLICE



CITY COUNCIL  
SUSAN AUSTIN, DISTRICT 1  
ROBERT A. CUSHING, JR., DISTRICT 2  
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JOHN F. COOK, DISTRICT 4  
PAUL J. ESCOBAR, DISTRICT 6  
VIVIAN ROJAS, DISTRICT 7  
ANTHONY W. COBOS, DISTRICT 8

## POLICE DEPARTMENT

12/13/2004

Juan Chavez  
[REDACTED]

Mountain Vista, TX 79938

RE: El Paso Police Department Internal Affairs Investigation IA04-176

Mr. Juan Chavez,

The Internal Affairs Division is responsible for investigating complaints against members of the El Paso Police Department. At present, this office is conducting an investigation into an officer's possible misconduct. On 09/10/2004, you picked up a vehicle on 8900 Escobar and may have witnessed possible misconduct.

It would be greatly appreciated if you would contact, Detective Mario Chaides (no. 1739) at (915) 544-7633, for an appointment. Our office hours are Monday through Friday, 8:00 A.M. to 4:00 P.M.

Your prompt reply to this letter will be greatly appreciated. If no reply is received by Monday (12/20/2004), this office will assume that your assistance in this investigation is not forthcoming.

Sincerely,

Lt. David Norman  
Commander  
Internal Affairs Division  
El Paso Police Department

MC

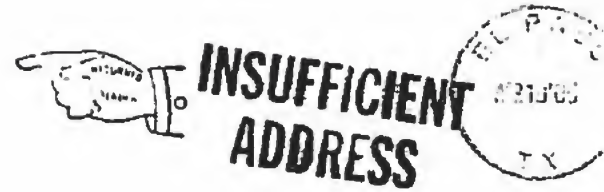


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THE CITY OF EL PASO  
POLICE DEPARTMENT  
911 N. RAYNOR  
EL PASO, TEXAS 79903

DEPT. INTERNAL AFFAIRS DIV.

*IA04-176*



PERLA PERALTA  
600 N. CAROLINA  
EL PASO, TX 79915

*El Paso, Texas The International City*

43513424560224100

